

THE COMMISSION'S FOLLOW-UP TO OPINIONS OF THE
ECONOMIC AND SOCIAL COMMITTEE
DELIVERED IN THE THIRD QUARTER OF 2005

(July and September 2005)

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A. EXPLORATORY OPINIONS

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| <p>1. Better lawmaking
Request from the UK Presidency - EESC 1068/2005 – September 2005
SG – The President</p> |
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No response from the Commission.

B. POINTS OF THE FOLLOW-UP ON WHICH THE COMMISSION OFFERS A SUBSTANTIVE RESPONSE TO THE EESC SUGGESTIONS

<p>2. How to improve the implementation and enforcement of EU legislation Own-initiative Opinion - EESC 1069/2005 - September 2005 GS - Mr President</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission Position</p>
<p>In the EESC's view it is also obvious that the increasing difficulties with implementation and enforcement processes at national level have to be addressed and resolved through closer cooperation between national and Community authorities.</p>	<p>The Commission will take account of this point in its consultations with Member States.</p>
<p>The EESC recommends that the Commission be invited to conduct audits of enforcement structures in the Member States – possibly relying on a neutral partner – and to report regularly on implementation and enforcement in the form of Scoreboards.</p>	<p>The Commission will continue to participate in, inspect and control some enforcement structures according to the characteristics and requirements of the particular sector. The Commission regularly publishes information on implementation and enforcement, including scoreboards, on the Europa website.</p>
<p>EU-funded training programmes based on national studies and experiences, bringing together practitioners from across Europe, need to be stimulated. The recent Commission-sponsored training of judges in the field of competition has yielded positive results. Such training programmes for judges in the lower and regional courts as well as for public administrations must be extended to all relevant fields, as required knowledge is still often lacking.</p>	<p>The relative value of specific initiatives of this kind will continue to be examined with the Member States.</p>
<p>The Commission should actively look for alternatives to formal legal action, which often tends to be too slow for the complainant. 50% of the infringement procedures last more than four years! Alternatives include package meetings and instruments such as SOLVIT. The Commission might consider making the outcome of package meetings public.</p>	<p>As indicated in the 2002 Communication on Better monitoring of the application of Community law (COM(2002)725), the Commission does pursue many measures complementary to formal infringement proceedings. The Commission has the authority and responsibility to ensure respect for Community law in the</p>

	<p>general EU interest. Package meetings form part of a wider range of contacts that lead to the adoption of solutions at different times. Contacts between the Commission and Member States with a view to finding appropriate solutions benefit from the absence of publicity.</p>
<p>The preoccupation should be to identify the most appropriate measure to achieve the policy outcome desired. In specific cases and to serve reliable outcomes in the Member States, the Commission might consider presenting proposals for a regulation instead of proposals for a directive. More generally, the Commission should take into account problems that may arise from diverse national implementing procedures.</p>	<p>The Commission does systematically justify the choice of the relevant instrument when making proposals for new Community legislation. The Commission is already committed to evaluating how new policy initiatives would best be applied in the Member States.</p>
<p>The Commission should be encouraged to streamline its surveillance efforts of implementation and enforcement. This may require more resources within the Commission as well. In this respect a greater coherence between the approach of the different DGs is needed.</p>	<p>The Commission will continue to work to maximise the efficiency of its functions. The work of the Commission in controlling the application of Community law will continue to have to take account of the different context and objectives of different legal acts as well as the variety of procedures and types of legal obligation adopted by the Community legislator in different sectors.</p>

**3. Proposal for a Regulation concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (Reach), establishing a European Chemicals Agency and amending Directive 1999/45/EC and Regulation (EC) on Persistent Organic Pollutants
 Proposal for a Directive amending Council Directive 67/548/EEC in order to adapt it to Regulation (EC) of the European Parliament and of the Council concerning the registration, evaluation, authorisation and restriction of chemicals
 COM(2003) 644 final - EESC 850/2005 – July 2005
 DG ENTR and DG ENV - Mr Verheugen and Mr Dimas**

Main points of the EESC Opinion	Commission Position
<p>The additional opinion by the EESC while reiterating its support to the REACH proposal wishes to make a further contribution to the discussion happening at the European Parliament and the Council.</p>	<p>The Commission welcomes the additional opinion by the European Economic and Social Committee and will take it into consideration as appropriate in the decision making process.</p>
<p>The Committee hopes that, in the light of the opinions and amendments taken on board during the first reading, the Commission will also strive to make the regulation more reader-friendly and consider reordering its chapters and articles. The Committee also suggests that a distinction should be made regarding those annexes which by their very nature do not form part of the legislative provisions (e.g. Annex X).</p>	<p>The Commission appreciates the suggestion of the Committee towards a more reader-friendly regulation. As already communicated to the Committee, the Commission is elaborating specific guidelines (RIPs) for industry and public authorities that will help a smooth and clear implementation of REACH provisions. These guidelines will include clarification on definitions, scope and how information flows in the supply chain should be implemented. The Commission is also sympathetic to the indication of separating some technical annexes (e.g. Annex X) from the main text of the regulation as already indicated to the Council and agreed at the COREPER level.</p>
<p>The Committee stresses the need to avoid duplication of tests, not only in the case of experiments on animals.</p>	<p>The Commission is committed to minimise or, where possible, avoid the use of animal test and to consider any measure that would strengthen this requirement while ensuring the same level of protection for human health and the environment. The Commission is also of the opinion</p>

	<p>that the sharing of non-animal tests should be encouraged to reduce the number of tests needed and avoid duplications. In this context, due consideration should be given to the so-called OSOR system (“one substance, one registration”).</p>
<p>With a view to securing the health and environmental objectives of the system without unduly increasing red tape and costs, the Committee endorses the following proposed measures: obligation to provide information downstream in the supply chain including consumers; registration of substances of particular concern, independently of the quantities also if they are added intentionally in an article; obligation for the Agency to provide structured information on the use of substances in articles, a right to know the dangerous chemicals contained in an article, also for professional users; a "guiding list" for dangerous substances which can be released unintentionally.</p>	<p>The Commission will take into account the Committee’s recommendation with a view of securing the health and the environment objectives of the REACH system consistent with the Lisbon goals as regards the competitiveness of European industries and innovation.</p>
<p>The Committee reiterates the need to strengthen the role of the Agency, as noted in its earlier opinion. It therefore endorses the French proposal in the Council.</p>	<p>The Commission is open to consider the idea of strengthening the role of the Agency. However, it warns that sufficient resources should be given to cope with the possible additional tasks and responsibilities.</p>
<p>The Committee thinks that further study is needed of the supply chain and of the differing consequences for its various parts.</p>	<p>Numerous analyses and impact assessments have already been carried out on the supply chain and on the impact of the respective actors. Therefore, the Commission believes that sufficient information is available to enable the institutions to make reasoned decisions and move forward with the revision of the chemical policy.</p>

<p>The Committee calls for an active policy on training schemes for workers and mechanisms for making non-confidential information available.</p>	<p>In carrying out the different implementation projects, the Commission is vigilant in keeping the consistency between REACH and the Community legislation, including the Community Workers Legislation. The Commission would support actions aimed to facilitate the implementation of the requirements on workers information and the setting up appropriate mechanisms to make non-confidential information available to them.</p>
<p>The Committee suggests that chemical research be explicitly included in the 7th framework programme, on which discussions are now starting, and that specific incentives for innovation and technology transfer be considered, with a view to encouraging the development of substances that pose fewer potential risks.</p>	<p>The Commission agrees with the Committee on the need to provide incentives for innovation and technology transfer. The Commission Communication concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) includes chemical safety in the areas covered by the Environmental Technologies actions which aim to promote the observation, prevention, mitigation, adaptation, remediation and restoration of the natural and man-made environment.</p>

<p>9. Proposal for a Regulation of the European Parliament and of the Council establishing a European Institute for Gender Equality COM (2005) 81 final – EESC 1066/2005 - September 2005 DG EMPL - Mr ŠPIDLA</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission position</p>
<p>The EESC supports the proposal for the creation of a European Institute for Gender Equality. As far as the Institute's goals are concerned, the EESC thinks Article 2 should include a clear reference to promoting the principle of gender mainstreaming.</p>	<p>The Commission agrees with this addition, which makes the text clearer (the Council also included this addition in its General Approach of June 2005).</p>
<p>The EESC asks for social partners to be explicitly mentioned in Art. 3(1a).</p>	<p>The Commission agrees with this clarification and will bear it in mind, pending the outcomes of the negotiations with the other institutions.</p>
<p>The EESC emphasises that the Institute should also publish, amongst other things, its work programme as well as its annual report (Art. 3(1e)), which will help to make its benefits more apparent.</p>	<p>In general, the Agencies publish their annual work programmes on their web sites.</p>
<p>The EESC would want to add the national or regional level to Art. 3(1)(g). This would make it possible to involve other stakeholders, such as local and regional governments, which have an important role to play in spreading awareness of gender equality issues among the public at large.</p>	<p>The Commission feels that the size and the role of this Institute would not enable it to work systematically with the national <u>and</u> regional levels of all countries. This does not mean that the regional or local authorities will not be able to make use of the information available to the Institute. The Commission therefore feels that this addition is not necessary.</p>
<p>The EESC takes the view that the Commission must only appoint members of the Management Board who are to represent NGOs and the social partners at European level on a proposal from those organisations. This should be stated in Article 10.</p>	<p>While not explicitly stated in the Article, it is obvious that appointments will be made on the basis of the suggestions put forward by the organisations concerned.</p>

<p>The EESC stresses the need to give a bigger role to the three representatives of the social partners and NGOs at Community level participating in the Management Board as observers and requests that they be given the right to vote and that their number be increased to the same as the number of Commission and Council representatives (six members, two from each party, ensuring equal representation of men and women)..</p>	<p>The Institute will be a very small technical instrument (15 persons in 2007 and 13 in 2013), therefore in order to ensure maximum efficiency and effectiveness it cannot have a large Management Board.</p> <p>As for the voting question, the Commission has been guided by the need to ensure transparency and to keep civil society informed and has followed its Communication of 2002 on the operating framework for European regulatory agencies: thus, the participation of the social partners/NGOs in the Management Board as observers will ensure that decisions taken by this Board take account of their interests. Moreover, the Commission has followed the same approach as adopted for other agencies for which Regulations have recently been adopted (e.g. Regulation 1406/2002 -Maritime Safety Agency; Regulation 460/2004 - European Network and Information Security Agency).</p>
<p>The EESC agrees with the proposal that the directors of the European Foundation for the Improvement of Living and Working Conditions, the European Agency for Safety and Health at Work, the European Centre for the Development of Vocational Training and the EU Agency for Fundamental Rights should, where appropriate, also be able to participate systematically in the meetings of the Institute's Management Board as observers, and asks that the director of the Institute should likewise be able (on behalf of the Management Board and/or on the basis of a "memorandum of understanding") to take part in the proceedings of these institutions.</p>	<p>The Commission takes note of this interesting comment, with a view to the subsequent preparation of the "memoranda of understanding" between the two parties.</p>

<p>As regards the Advisory Forum, the EESC considers that as this body will not have decision-making rights within the Institute it is unnecessary to state that the three members who represent interested parties at European level do not have the right to vote. One might also ask why they are appointed by the Commission: they should be directly appointed by the organisations set out in Article 10(1) a)-c).</p>	<p>The Commission will bear this comment in mind, pending the outcomes of the negotiations with the other institutions.</p>
<p>The EESC has reservations concerning the Institute's planned funding. It detects contradictions in what the Council press release (quoted above in point 2.3 of this opinion) says it should achieve, namely provide added value by meeting demanding goals, while at the same time maintaining budget neutrality.</p>	<p>The Commission would point out that the Commission proposal must be neutral from the budget point of view.</p>
<p>The Proposal for a Regulation does not state where the Institute will be based. The EESC, however, favours it being set up in one of the countries that joined the EU in 2004..</p>	<p>This is a matter for the Heads of State and of Government.</p>

<p>14. Proposal for a Regulation of the European Parliament and of the Council concerning the rights of persons with reduced mobility when travelling by air COM(2005) 47 final – EESC 1059/2005 - September 2005 DG TREN - Mr Barrot</p>	
Main points of the EESC Opinion	Commission position
2.1: The EESC welcomes the initiative of the Commission and fully supports the fundamental principles of the proposal.	The Commission welcomes the EESC's support.
2.4: The EESC invites the European Commission to put forward further legislation in order to ensure that all new infrastructure and transport equipment is accessible, and to ensure that existing barriers are gradually dismantled.	The Commission recognises the problems faced by persons with reduced mobility and is aware of the need to ensure they have proper access to infrastructure and transport. The Commission will therefore examine this point in greater detail. It is at present the subject of negotiations between the co-legislators.
2.5: The EESC endorses in particular the provision for one single centralised service managing body at airports.	The Commission welcomes the position adopted by the EESC.
2.8 : The EESC notes that the derogation from the main principle of prevention of refusal of carriage should be further clarified in order to prevent arbitrary denials. A framework should be defined at EU level specifying and defining safety requirements either through an annex attached to this regulation or through an implementing regulation.	The Commission is aware that arbitrary denials must be avoided and will ensure that the provisions of the regulation are applied correctly. If necessary, it will examine the need to specify such standards.
2.9 : The EESC also notes the lack of an explicit provision obliging the airline to reimburse or re-route and take care of a person who has been denied boarding pursuant to the regulation.	This point is the subject of negotiations between the co-legislators.
2.10 : The responsibility of the airport managing body should be extended also to passengers transferred or in transit through an airport as long as they have given 24 hours notification.	The Commission can support this suggestion.

<p>2.11 : The EESC takes the view that all European airports should set consistent, high quality standards for passengers with reduced mobility beyond those established in annex I of the regulation.</p> <p>In addition, the EESC believes that for small airports below one million passengers per year quality standards - adapted to their size - have also to be established at local level in close cooperation with organisations of disabled people, including people with reduced mobility.</p>	<p>Regarding the first point, this is currently the subject of negotiations between the co-legislators, but the Commission does agree with the EESC.</p> <p>Regarding the second suggestion, the Commission undertakes to examine it in the context of the negotiations between the co-legislators.</p>
<p>2.12 : The EESC also points out that disability awareness training of adequate staff is necessary in order to ensure adequate and quality assistance to the person's needs.</p>	<p>This point is the subject of negotiations between the co-legislators.</p>
<p>2.13 : The EESC considers it essential that there should be a reliable information transfer from airline companies to airports, in order to ensure the best quality of services.</p> <p>Moreover, in cases of dispute, the burden of proof concerning non-notification should rest with air carriers and/or the tour operator responsible for the reservation.</p>	<p>Regarding the first point, the Commission agrees with the EESC.</p> <p>Regarding the second suggestion, the Commission undertakes to examine it in the context of the negotiations between the co-legislators.</p>
<p>2.16 : The EESC highlights the need for an easily accessible body for receiving complaints, monitoring implementation of the regulation and its enforcement. The EESC believes that one single body in each Member State could be responsible for these matters in order to provide for a less complex system than in the current proposal.</p>	<p>The Commission will examine this question in the context of the negotiations with the co-legislators.</p>
<p>2.17 : The EESC argues for the need for persons with reduced mobility being entitled to full compensation in case of damaged or lost mobility equipment.</p>	<p>This point is the subject of negotiations between the co-legislators.</p>

<p>2.18 : The EESC also would like to point out the need to establish firmly in the regulation clear responsibilities and liabilities in case of accident or mishandling of passengers needing assistance whether at the airport, or when boarding the aircraft.</p>	<p>The Commission considers that this suggestion is already covered in its initial proposal.</p>
<p>2.19 : The EESC proposes to delete the proposed limitation of carriage of guide dogs to five hours.</p>	<p>This suggestion will be examined in the context of the negotiations with the co-legislators.</p>

<p>15. Proposal for a Regulation of the European Parliament and of the Council on the information of air transport passengers on the identity of the operating carrier and on communication of safety information by Member States COM(2005) 48 final – EESC 1060/2005 - September 2005 DG TREN - Mr Barrot</p>	
Main points of the EESC Opinion	Commission position
1.5 : The Commission should provide a European list of airlines with safety problems.	The Commission welcomes the EESC's support for the principle of a Community blacklist.
1.6 : The EESC also considers it necessary to carry out random checks in the simulator of the flight crew flying into European airspace to see that they are competent flying in congested air spaces.	This suggestion will be examined in the context of the negotiations between the co-legislators in the light of the definition of common criteria to be used as a basis for drawing up the Community blacklist.
1.7 : Passengers must have access to the name of the operator at the time of booking from an airline website or travel agent and to be informed before travel if there is a change. They should be entitled to a full refund if not satisfied.	The Commission can support this suggestion. The Commission considers that passengers concerned should be entitled to be rerouted if the carrier appears on the Community blacklist.
1.8 : The passenger should have access to information regarding the type, model and age of the aircraft, if desired. Also the country of registration.	The Commission considers that the type of information suggested by the EESC is too detailed.
1.9 : Adequate rest periods for crew between flights should be insisted upon.	The Commission considers that this suggestion lies outside the scope of this proposal for a regulation.
1.10 : Adequate command of English or another European language, depending on the destination, among the cabin crew, to enable them to deal with passengers or emergencies, should be mandatory.	The Commission considers that this suggestion lies outside the scope of this proposal for a regulation.
1.11 : Aircraft barred from an EU country for safety reasons should also be barred	The Commission considers that this suggestion will be covered by the

from all.	establishment of the Community blacklist.
2 : The EESC suggests that the period for revision of the regulation can be shorter than five years.	The Commission will produce a report on the implementation of the regulation three years after its entry into force. If necessary, it will present an amended version of the regulation.

<p>18. Proposal for a Directive of the European Parliament and of the Council amending Council Directive 77/91/EEC, as regards the formation of public limited liability companies and the maintenance and alteration of their capital COM (2004)730 final – EESC 843/2005 - July 2005 DG MARKT – Mr McCREEVY</p>	
<p>Main points of the EESC opinion</p>	<p>Commission Position</p>
<p>The EESC approves the objectives of the draft directives and in general the means by which the Commission intends to meet them.</p> <p>On a general note, however, the EESC draws a distinction in principle between “genuine simplification” and “modifying simplification”, whereby the latter is considered to be beyond the Commission’s remit, insofar as the proposal is seen to make substantive changes to the rights of third parties, which is considered by the EESC to “modernise” rather than “simplify” the current Directive as it stands.</p>	<p>The Commission welcomes the support which the EESC has expressed in principle for this initiative.</p> <p>In this respect the Commission would like to point out that:</p> <ol style="list-style-type: none"> 1. This initiative is in line with its earlier Communication COM (2003) 284 final (the “Company Law Action Plan”), which foresees simplification <u>and</u> modernisation of the Second Company Law Directive along the lines proposed by the “High Level Group”. 2. The Commission has emphasized the protection especially of minority shareholders and creditors not only in its original proposal, but also in the subsequent negotiations and consultations with the Council and the European Parliament, in order to counterbalance any flexibility brought about by the objective of simplifying or modernising the Directive as it stands. 3. The Commission can therefore not agree with the EESC’s point that this initiative would be beyond the Commission’s remit, making substantive changes to the rights of third parties.
<p>Furthermore, the EESC considers that, in the framework of this simplification exercise, the time would have come, at least within Member States, for a single authority (a “one stop shop”) along the lines of the “Services Directive” to be designated as responsible for company</p>	<p>The Commission has been a strong promoter of the “one stop shop”-approach as a way to cut red tape and facilitate the creation of businesses. However, the Commission is of the opinion that this should be promoted through the development of Member</p>

<p>regulation and control.</p>	<p>States' best practices throughout the EU, rather than by means of binding legislation (notably for reasons of subsidiarity).</p>
<p>The EESC, finally, expresses doubts with regard to the Commission's proposals for "squeeze-out rights" and "sell-out rights" in favour of the majority shareholder/minority shareholders (respectively) in listed companies.</p> <p>The EESC wants to see these rights limited to very special cases, and only subject to authorisation from the supervisory authorities.</p> <p>In conclusion, the EESC makes a plea for the shareholders' right not to be restricted by considerations extraneous to their interests.</p>	<p>Reserve awaiting the outcome of the negotiation with the other institutions: At this stage, the Commission considers these provisions a necessary device for creating a "level playing field" for the streamlining of share ownership in listed companies.</p> <p>Limiting the harmonisation effort along the lines suggested by the EESC would not have this positive impact on the single market, given the fact that national regulation on these issues would continue to be fragmented or even non-existing.</p> <p>The Commission, however, remains opposed to the deletion of the pertinent provisions in its proposal for the time being, and for the reasons given above.</p>

<p>19. Proposal for a directive of the European Parliament and of the Council amending Council directives 78/660/EEC and 83/349/EEC concerning the annual accounts of certain types of companies and consolidated accounts COM(2004) 725 final - EESC 502/2005 fin - July 2005 DG MARKT – Mr McCreevy</p>	
Main points of the EESC Opinion	Commission Position
3.4 and 3.5 : the Commission is encouraged to undertake a fundamental review of the thresholds for small and medium sized companies with a particular focus on reducing the burden on the smallest entities.	The Commission agrees.
4.1.1 : the Commission, with regard to two tier board systems, is encouraged to ensure that each board is responsible with the competences assigned to it by national law.	This corresponds to the Commission's approach and the Commission is willing to clarify this.
4.1.2 : the Commission is encouraged to oblige board members to disclose all relevant information to the auditors.	This is not in line with the Commission's thinking and such a requirement would seem superfluous. It would be in the interest of board members to supply the auditors with relevant information.
4.2; 4.3; 4.4; and 4.5; all encourage the Commission to introduce some technical clarifications with regard to related party transactions, off balance sheet arrangements; corporate governance statement and other issues.	The Commission is willing to take on board the main thrust of the suggestions made by EESC.

<p>22. Proposal for a Council Directive amending Directive 77/388/EEC on the common system of value added tax, with regard to the length of time during which the minimum standard rate is to be applied COM (2005) 136 final – EESC 852/2005 – July 2005 DG TAXUD - Mr Kovács</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission position</p>
<p>Given the current situation of Member States’ fiscal policies, particularly with regard to VAT, the EESC can only agree with the Commission’s initiative, which is in practice a proper response to the circumstances.</p>	<p>The Commission notes the EESC’s favourable opinion.</p>
<p>The EESC would nonetheless like to take the opportunity to make some additional comments, in the hope that these will receive the attention of Member States.</p> <p>Given the lack of unity of purpose of the Member States in the area of taxation, and of VAT in particular, the EESC considers that talking about a “transitional system” for VAT when referring to a system that has been in place for decades whilst awaiting a “definitive system” that appears as problematic as ever, is a mystification that the EESC is no longer prepared to accept. The Council should state, for the sake of that transparency vis-à-vis citizens that it keeps talking about, that it will continue to pursue the strategic objective of VAT harmonisation, whilst accepting that this is not realistically achievable in the short to medium term.</p>	<p>The Commission also notes the EESC’s suggestions addressed to the Member States and will take these on board in the context of the subsequent negotiations with the other institutions.</p>

24. Obesity in Europe – Role and responsibilities of civil society partners Own-initiative opinion - EESC 1070/2005 - September 2005 DG SANCO – Mr Kyprianou	
Main points of the EESC Opinion	Commission position
<p>1.2 : The endless documents, surveys and reports from experts, round table meetings and prominent international organizations around the subjects of diet, physical activity and obesity have failed to produce solutions or ACTION to stop this societal and economically crippling disease.</p>	<p>The Commission would underline that the problem of obesity is one of the priorities of the Community action programme in the field of public health (2003-2008). The Commission would point out that in March 2005 it launched a European Platform for Action on Diet and Physical Activity, bringing together the key EU-level representatives of the food, retail, catering, and advertising industries, consumer organisations and health NGOs. Members of the Platform have undertaken to produce action plans and implement concrete activities to promote healthier diets and encourage people to take more exercise</p>
<p>1.4 : The prevalence of obese people has increased dramatically in the last 30 years. In 2000 the WHO declared it "the greatest health threat facing the West".</p>	<p>The Commission shares this analysis of the explosion in obesity and its damaging consequences for society and health.</p>
<p>3.4 : The EESC believes that an "include all" approach is necessary in a strategy to combat the problem together, taking "top down" policies, accompanied with bottom up strategies, creating action horizontally and vertically, with everyone making a commitment, financially, in time or in kind. Although far from simple, the purpose is to create an environment that supports healthy eating, with a balanced diet and physical activity throughout Europe, without blame</p>	<p>The Commission shares the EESC's opinion and would point out that it is working on the establishment of a European strategy on nutrition and physical activity. With this in mind, and on the basis of a Green Paper which it expects to adopt before the end of 2005, the Commission is preparing a wide-scale consultation exercise to determine what aspects of nutrition and physical activity the EU should concern itself with and what form its intervention should take.</p>
<p>4. "Obesity Check Campaign" 4.1 to 5.11.4.</p>	<p>The Commission will take the EESC's comments into account in its preparatory work for the establishment of a European strategy on nutrition and physical activity. One possible</p>

	<p>initiative, going beyond a mere awareness-raising campaign, could be to get all the stakeholders in the fight against obesity at European, national, regional and local levels involved in implementing a coherent package of multisectoral activities. Towards this end, the Commission shares the EESC's analysis concerning the important role that a number of Community policies could and should play in the fight against obesity.</p>
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<p>25. Green Paper on applicable law and jurisdiction in divorce matters COM (2005) 82 final - EESC 1064/2005 - September 2005 DG JLS - Mr Frattini</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission Position</p>
<p>The Committee welcomes the Commission's initiative to address the problems that arise as a result of the increasing number of international divorces within the EU.</p>	<p>The Commission welcomes the support of the Committee as regards the need for Community action in this field.</p>
<p>The Committee calls for more information and statistics on the number of divorces with a Community dimension and other relevant information.</p>	<p>The Commission is pleased to tell that it is currently collecting data on these points as part of the Impact Assessment that will accompany the future proposal.</p>
<p>The Committee is in favour of introducing a certain party autonomy in the field of applicable law.</p>	<p>The Commission welcomes the support of the Committee on this point, which will be further explored during the consultation process.</p>
<p>The Committee is in favour of a transfer of a case to the courts of another Member State provided it is accompanied by appropriate safeguards and is limited to the European Union.</p>	<p>The Commission fully agrees that the transfer should be subject to strict safeguards and limited to the European Union in line with the equivalent provision (Article 15) of Council Regulation (EC) 2201/2003 on parental responsibility.</p>
<p>The Committee believes that prorogation of jurisdiction should be allowed under certain conditions.</p>	<p>The Commission welcomes the support of the Committee on this point, which will be further explored during the consultation process.</p>
<p>The Committee emphasises the need to avoid negative conflicts of jurisdiction and ensure access to court for EU citizens in matrimonial matters.</p>	<p>The Commission fully agrees that this question needs to be addressed, possibly through a revision of Article 7 of Council Regulation (EC) 2201/2003.</p>
<p>The Committee draws the attention to the problems that the application of the divorce laws of third States may entail.</p>	<p>The Commission agrees that this question, which is not explicitly addressed in the Green Paper, deserves further consideration.</p>

<p>26. The contribution of civil society to EU-Russia relations Own-initiative Opinion - EESC 849/2005 - July 2005 DG RELEX – Mrs FERRERO-WALDNER</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission Position</p>
<p>The EESC calls upon the EU to adopt « a more integrated policy » towards Russia and to implement it in a pragmatic fashion.</p>	<p>The Commission supports this position. In its Communication « On relations with Russia » (COM(2004) 106) of February 2004 the Commission called for a strengthened coordination of policy towards Russia.</p>
<p>The Committee recommends to implement the road maps for the EU-Russia Common Spaces without delay and offers its active contribution in this process.</p>	<p>The Commission has undertaken all necessary steps to proceed with the implementation of the road maps. A number of proposals for concrete follow-up have been transmitted and are awaiting a formal reaction from Russian side.</p> <p>The Commission encourages the EESC and all relevant other actors (civil society, regional organisations etc.) to play an active part in the implementation.</p>
<p>The EESC calls for strengthened cooperation between the EU and Russia at regional level.</p>	<p>The Commission has proposed a new political framework for the Northern Dimension, which is due for adoption at the Northern Dimension Ministerial meeting on 21 November 2005 (see also separate opinion of the EESC and the Commission position).</p>
<p>The EESC expresses the opinion that the road maps should contribute to a strengthened role of civil society in Russia.</p>	<p>The Commission supports this opinion. The implementation of the road maps will involve a wide range of actors of both sides, including those representing civil society.</p>
<p>The EESC call for civil society actors to be given an adequate role in the implementation of the road maps and suggests a consultative committee under art. 93 of the PCA.</p>	<p>The Commission fully supports the adequate involvement of civil society actors in the implementation of the road maps. The Commission however does not see the need to create a new institution in the PCA context.</p>

<p>The EESC calls upon civil society actors in the EU and Russia to strengthen their cooperation. In this context, the EESC recommends to pay more attention to Kaliningrad, including in discussion of the Permanent Partnership Council</p>	<p>The Commission fully supports this opinion. Concerning Kaliningrad, the Commission has suggested to hold a Permanent Partnership Council meeting on regional and cross-border issues, which should also cover issues related to Kaliningrad. There is no formal reaction from the Russian authorities so far.</p>
<p>The EESC suggests to strengthen cooperation of the civil society between Russia and its neighbours.</p>	<p>The Commission agrees with this proposal. The EU-Russia road maps are not an isolated bilateral initiative as Russia's neighbours are parties to the ENP.</p>
<p>The EESC proposes to give priority to cross-border mobility in EU-Russia relations.</p>	<p>The Commission supports this. The road maps of the Common Spaces set out as one of their overall objectives the promotion of people-to-people contacts (Common Economic Space, Common Space of Freedom, Security and Justice, Common Space of Research and Education). Cross-border mobility will be a key element of assistance programmes with Russia in the future. The recently concluded negotiations for a Visa Facilitation Agreement and a Readmission Agreement are an important step into this direction.</p>

27. Northern Dimension (ND) and its Action Plan Own-initiative Opinion - EESC 1067/2005 – September 2005 DG RELEX – Mrs Ferrero - Waldner	
Main points of the EESC Opinion	Commission Position
<p>The Opinion is the EESC's contribution to the ND Ministerial Conference, which will take place in November 2006.</p>	<p>The Commission appreciates the EESC's inputs to the ND. The UK Presidency has invited the EESC to the 21 November ND Ministerial meeting</p>
<p>The EESC has recently established an Eastern Europe Contact Group to improve relations with the Eastern European Countries (including the ND context) and to establish direct contacts with CS actors in these countries.</p> <p>Overall, the opinion among Civil Society Organizations (CSOs) on the ND and on the ND 2nd Action Plan is rather positive, albeit with some exceptions. A majority of the CSOs in the region had either a positive or fairly opinion of ND.</p>	<p>The Commission believes that cross-border cooperation in the North, including cooperation between civil society stakeholders, is the major added value of ND. Therefore identifying the appropriate counterparts in NW Russia is crucial</p>
<p>The CSOs proposed to the EESC five actions (labour market/employment/social dialogue; promotion of SMEs, trade facilitation, cross-border investments; infrastructure and transport networks) that should be given precedence and four complementary measures (involvement of civil society; ND implementation structures; sufficient resources; distribution of progress reports) for the ND future.</p>	<p>The Commission will take into consideration these CSOs proposals, to the extent that they have not been implemented so far, in its participation in the joint drafting of the new ND basic documents that will be carried out in 2006 along with the ND parties (States) and stakeholders.</p>
<p>The EESC supports intentions to link the ND to the EU-Russia cooperation and the four Common Spaces</p>	<p>The Commission proposes a future ND which will be the regional expression in the North of the four Common Spaces EU/Russia, in full association with Norway and Iceland</p>

<p>Successful regional ND cooperation would require that Russia properly participates in the preparation and implementation of the future ND policy. Mechanisms for cooperation in this context, for instance a joint steering council should be considered, also taking into account the other non-EU countries in the region.</p>	<p>The Commission is proposing for the ND phase beyond 2006 (i.e. when the 2nd Action Plan expires) a ND policy which is shared by all ND parties, reflecting a joint ownership. As NW Russia is the focus of ND, a full Russian engagement is vital. Therefore the Commission from the outset launched negotiations with the Russians on the ND beyond 2006, while continuously informing the other ND parties. The establishment of a special joint steering group to enhance practical coordination of ND activities should also be considered, bearing in mind its possible relationship to the ND Senior Officials' Meetings (SOM).</p>
<p>The (current) five sectors of ND cooperation are relevant for the future. One should, above all, take advantage of the positive experiences of the concept of ND partnerships (environmental, social and health, information-technology). Serious consideration should, in this respect, be given to the creation of partnerships in the following areas: infrastructure and logistics; employment, human resources and social issues including civil dialogue; cross-border and people-to-people cooperation, including youth, education and culture</p>	<p>The areas for cooperation should be developed jointly, taking account of the interests of all ND stakeholders including Russia. The ND Environmental Partnership and the Partnership in Health and Social Wellbeing show that the partnership model is successful and could also be applied to other cooperation sectors provided that there is full commitment from a sufficient number of ND parties.</p>
<p>Existing regional bodies in the Baltic Sea Region, above all the CBSS, should have a central role in the forthcoming ND exercise. The civil society organisations would in this context have a fair opportunity to be involved in and to contribute to the ND through their own regional cooperation networks and their established links to the aforementioned bodies.</p>	<p>The Commission agrees with the EESC and proposes a future ND whose aims are to enhance the synergies of the regional organizations in the North, maximizing the use of the resources available for the region, while avoiding any possible overlapping.</p>

<p>The EESC reiterates its recommendation from 2004 that spreading of public information about the ND should be strengthened. Upgrading of the NDIS is needed for this purpose. The EESC also stresses that information should, above all, be spread nationally and locally, as it is the responsibility of the governments and relevant authorities in the states concerned</p>	<p>The Commission contributes to the spreading of ND information through its ND annual reports and through the Northern Dimension Information System (NDIS). The latter aims to provide an easy and accessible means of sharing information on ND activities. Its first edition in 2004 shows the large amount of activities being carried forward by all stakeholders, especially the regional organisations. A second edition of the NDSys, online and more user-friendly, has been launched in July 2005. The deadline to submit contributions was 30 October 2005.</p>
<p>The financing of ND-partnerships should be determined on case by case basis, and also the governments and the International Financing Institutions (IFIs) should have a central role in this respect. The Norwegian and EEA financial mechanisms would as well be beneficial in spurring above all joint cross-border ND-actions. The European Neighbourhood and Partnership Instrument (ENPI) should become topical from beginning of 2007.</p>	<p>The Commission agrees with the EESC.</p>

<p>28. Proposal for a Joint Declaration by the Council, the European Parliament and the Commission on the European Union Development Policy "The European Consensus" COM (2005) 311 final - EESC 1072/2005 - September 2005 DG DEV - Mr MICHEL</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission position</p>
<p>1.1 The initiative of the Commission and the Council to revise the Declaration on Development Policy adopted in 2000 and, in general, to reshape the future of this policy is, from all points of view, extremely important.</p>	<p>The EESC has collaborated throughout the process which has led the Commission to proposing a new development policy.</p> <p>The Commission is pleased that the EESC views the Commission's decision to revise the Declaration on Development Policy adopted in 2000 as extremely important.</p>
<p>1.3 These changes have also been affected by the scant progress achieved, according to most indicators, towards the targets set five years ago for the Millennium Development Goals (MDGs). To ensure that these targets are not missed by the 2015 deadline, the international community must review its policies and come up with a genuine emergency plan. This plan must be capable of generating additional resources for public development aid and must cover economic aid, trade policy, debt, intellectual property, taking account of the effects of migration and strengthening civil society organisations.</p>	<p>The Commission has indeed implemented a genuine emergency plan. In 2005, the year of development, it put together an "MDG package" which addressed aid volumes and effectiveness, the coherence of development policies, the proposal for the new development policy and a strategy for Africa.</p> <p>Aid resources will increase, to reach 0.56% of GNP by 2010 and the target of 0.7% by 2015. These undertakings will bring EU aid per year to € 66 billion in 2010 and 84 billion in 2015.</p> <p>As regards additional resources, the EU has also undertaken to consider the most promising options for innovative sources of funding and to find long-term solutions to the debt burden, in particular for initiatives aiming at reducing multilateral debt, for countries affected by exogenous shocks and for post-conflict countries.</p>
<p>1.6 At the beginning of this reflection process in January 2005, it was envisaged</p>	<p>It is not deemed desirable to reopen the whole public consultation process,</p>

<p>that a Commission Communication would be drawn up in the first quarter of the year. This Communication was finally published in July of this year and the Commission asked the EESC for its views on the document. This opinion is a response to this request. Furthermore, the fact that this process coincided with the drafting of other Community institution positions – for its part, the EESC contributed by drawing up its position on the Millennium Development Goals (known as the <i>MDG package</i>²) on which the Council has called for progress to be speeded up – could help to ensure greater commitment on the part of the European Union as a whole to addressing development issues and presents an opportunity to consolidate the leading role the EU plays in the developing world.</p>	<p>since the conclusions of the United Nations conference did not dramatically alter the essential elements of the Commission proposal.</p> <p>However, the formal discussions within the Council and with the Parliament have also taken account of the results of the United Nations conference.</p>
<p>1.8 The EESC believes that it would have been useful if the Commission paper - The Future of EU Development Policy – which has recently focused consultation and debate on the matter, devoted more effort to evaluating the effectiveness of Community aid since its inception and provided a more detailed analysis of the bottlenecks and problems that have had an impact on its effectiveness over the years³. The problems, in our opinion, have been the slowness in implementing the programmes, the high administrative and other costs relative to the funds allocated to the projects, the coupling of aid, the secondary role played by the beneficiary countries and the unpredictability and volatility of aid flows. It would have been good to see even a brief assessment by the Commission of the 2000 Declaration's</p>	<p>1. The discussion paper focused on policy, including the objectives, the players, the actions and the resources. The effectiveness of Community aid was addressed in the contributions on the principles of coordination, harmonisation, alignment and the focusing of aid on priority areas.</p> <p>It was not appropriate to debate the implementation of Community aid, which is regularly examined in the <i>Annual reports on Community development policy and external aid</i> and in the specific reports prepared by AIDCO (for example the <i>Commission Staff Working Document - Qualitative Assessment of the reform of external assistance (SEC 2005, 963)</i> and the <i>Europe Aid Cooperation Office Activity</i></p>

² This "package", published in April 2005 consists of three Communications: COM(2005) 132 on The European Union's contribution, COM(2005) 133 on Financing for development and aid effectiveness, and COM(2005) 134 on Policy coherence for development.

³ Note should be taken, however, of the Impact Assessment that accompanies the Commission proposal, the Annual Report on Community development policy and external aid and the Commission's thematic and geographical evaluations that systematically include the practical implementation of development policy.

<p>impact and of the various problems faced by Community cooperation, as well as the results that it has achieved and the lessons learned over this period. There are other recent studies⁴, however, carried out with the European Commission's support, which provide a very useful frame of reference in this matter. In the EESC's opinion, the limited effectiveness that development aid has demonstrated in combating poverty calls for a degree of self-criticism and the revision of future development policy, as well as continuing with the efforts initiated by the Commission to improve the quality and effectiveness of Community aid.</p>	<p><i>Report</i> (October 2005).</p> <p>2. This assessment of the impact of the 2000 Declaration does indeed exist, in the form of a study conducted for the Commission by a consortium made up of the ECDPM, ODI and ICEI. The study (<i>Assessment of the EC Development Policy, Final Report</i>, February 2005) is also available on the DG DEV website.</p> <p>Additionally, the Communication from the Commission for the new development policy was accompanied by an impact analysis (SEC2005/ 929), which is also available on the website.</p>
<p>3. and 8.5. Guidelines and channels for European development policy.</p>	<p>The EESC's opinion is in line with the Commission's analysis of globalisation and its links with development.</p> <p>For example, the principle that the fight against poverty should be one of the key objectives of the EU initiatives for fairer and more inclusive globalisation, including through promotion of the European Social Model. In focusing on the essential objective of reducing poverty, the development policy contributes towards achievement of the EU's social, environmental and security objectives and towards addressing the globalisation challenges.</p> <p>Or, to take another example, in recognising the crucial role of the European development policy in disseminating the values on which the Union is founded and in preventing the negative consequences of poverty and inequality such as insecurity, draining of natural resources and uncontrolled migration.</p>
<p>3.3 The EESC also wishes to emphasise the importance of education and training as a public asset. Education provides</p>	<p>The Commission welcomes the EESC's comments emphasising the importance of education and training as</p>

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ODI/ICEI/ECDPM Assessment of the EC development policy. DPS Study report. February 2005.

<p>benefits for society as a whole and not only for those who are learning. Education, in all its forms, represents an increase in human capital, which makes for improved growth, employment and incomes. Starting with achieving universal primary education, as set out in the second MDG, we must move towards other aspects of secondary and vocational education as quickly as possible. Cooperation between Community institutions and those in the Member States on educational matters should be stepped up.</p>	<p>public assets, as well as the benefits of education for the individual and for society. It also appreciates the comments on the priority to be given to the MDG2s in a balanced approach which also embraces other levels of education.</p> <p>Coordinating cooperation between the EC and the Member States is a key priority for the Commission and will be stepped up in line with the EC/EU undertakings and the Paris Declaration.</p>
<p>3.5 Opening up international trade provides major opportunities for helping the least-developed countries to emerge from poverty and underdevelopment. Nevertheless, current world trade regulations favour the most highly developed countries to the detriment of the poorest. The EESC has stressed this in various opinions, most recently in its opinion on the social dimension of globalisation⁵. It would therefore be appropriate, in the current round of WTO negotiations, the next ministerial meeting for which will be held in December in Hong Kong, and as part of the Union's bilateral relations, to improve developing countries' access to the markets of developed countries, to reduce or eliminate all of those subsidies - including subsidies for farming - which distort trade, to remove most obstacles to exports from developing countries and to reform the agreement on trade-related intellectual property (TRIPs). It would appear advisable, therefore, to avoid making EU development aid dependent on the positions developing countries adopt in multilateral trade negotiations, which is precisely how some international financial institutions act.</p>	<p>The EU's development aid is in no way conditioned by the positions taken by the developing countries in the multilateral trade negotiations. At the same time the EC realises that developing countries, especially the LDCs, need support to help them reaping the benefits of trade. Therefore the EC's trade-related assistance (TRA) has been increased and improved over the past few years. Since 2001 the EC's commitments of TRA have been above €800 per year. Around 40 % of this amount is going to the ACP countries. A large part of support to the ACP in this area is designed to improve regional integration and to prepare for EPAs. At the Gleneagles G8 Summit in July 2005 Commission President Barroso announced that TRA will be increased to reach €one billion per year. This can also cover directly trade related infrastructure such as for example upgrading border facilities and laboratories for testing of health standards. However, there is no dedicated TRA envelope. The decisions for TRA are the result of the programming dialogue with the partner countries and regions. The Commission supports the</p>

⁵ Opinion on The Social Dimension of Globalisation – the EU's policy contribution on extending the benefits to all, EESC 252/2005.

	mainstreaming of trade into wider development strategies.
<p>3.9 and 8.6. The MDGs for their part do not take sufficient account of this fundamental dimension in a context in which the effects of globalisation on social conditions in general and on working conditions in particular are clear to see. The EESC proposes that the mid-term review of the MDGs currently underway incorporate an analysis of the economic, social and employment rights situation and that, in future, decent work is made the 9th Millennium Development Goal.</p>	<p>This suggestion was not adopted in the Summit's Final Declaration. However, the language of the Declaration supports equitable globalisation and adopts the central objective of productive employment and decent work for all, including elimination of the worst forms of child labour, as well as respect for the fundamental labour rights and principles.</p> <p>The Commission Communication is coherent and ambitious in this respect.</p> <p>The Commission proposes that the European Union promote decent work for all and that it encourage European enterprises to adhere to the principle of corporate responsibility.</p> <p>The thematic framework includes the fight against inequality and the promotion of social cohesion, including decent work for all. The initiatives in this sense cover protection and social inclusion, productive work, development of human resources, fundamental social rights, including the fight against child labour, and social dialogue.</p>
<p>3.10 and 8.7. Development and human security should be complementary concepts and should strengthen EU development policy. It is true that security and ensuring a conflict-free environment are prerequisites for a development strategy based on eradicating poverty. On the other hand, however, economic and social development constitute an essential guarantee for security. The EESC believes that respect for human rights must be a key priority for EU</p>	<p>The EESC declares that it favours respect for human rights as a key priority of development policy.</p> <p>This is a very important point and forms an integral part of the Commission proposal. The Commission considers that the primordial objective of reducing poverty must be based on the complementary objectives of promoting good governance and</p>

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Opinion on Social cohesion in Latin America and the Caribbean. OJ C 110 of 30.04.2004, p. 55.

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A particularly relevant issue is the infringement of trade union rights in many parts of the world, such as Latin America, where trade union activists are persecuted, imprisoned and, in many cases, murdered.

<p>development policy, paying particular attention to the importance of women's rights in combating poverty. It will make a substantial contribution to reducing poverty and to making the world a safer place.</p> <p>3.11 and 8.7. The EESC thus reiterates⁶, the need for EU development policy to incorporate measures geared towards protecting defenders of human rights, including human rights in the workplace⁷, throughout the world.</p>	<p>respect for human rights, and that these form an integral part of long-term development. This also ties in with the approach developed with our ACP partners in the Cotonou Agreement.</p> <p>The link between development and security also forms part of the Commission proposals.</p>
<p>3.13 and 8.8. The EESC considers that, because environmental protection is one of the three pillars of sustainable development, it must be given the same priority as the economic and social dimensions. The EESC therefore stresses the need to add the environmental dimension as an indicator of effectiveness in the implementation of development strategies. Furthermore, carrying out environmental impact studies should be made a prerequisite for projects and actions of a certain scale.</p>	<p>The Commission agrees that management of the environment and natural resources should have the same status as the economic and social dimensions. This will be addressed in the directives for the preparation of the country support papers (CSPs), which will necessitate, in addition to analyses of the political, economic and social situation, an analysis of environmental trends. Work is under way on the environmental indicators, and the environmental impact assessment (EIA) is a standard requirement of the EC's development cooperation policy. The manual on the integration of the environment, which sets out relevant procedures in this domain, is at present being updated.</p>
<p>4. Criteria for mobilising European development policy.</p>	<p>The Commission very much appreciates the EESC's opinion, which endorses the Commission's position regarding the advisability of having a European development policy which would be binding on the Member States and the Commission itself.</p>
<p>4.2 EU development policy is not designed to be a remedial instrument, geared to reducing possible damage to the development of poor countries caused by other policies, such as trade or security. The EESC believes that better coordination between the various Commission directorates (between the</p>	<p>The Commission shares the EESC's view entirely. The Communication on "Policy coherence for development" adopted by the Commission in April, and the conclusions of the General Affairs and External Relations Council of May, mark a genuine enlargement of the scope of our work in the field of</p>

<p>trade and employment directorates, for example) would help to make this approach more effective, as would a periodic evaluation, in which organised civil society would play a leading role, of the impact of Community policy on social cohesion in developing countries.</p>	<p>policy coherence for development. Twelve policy priority areas (including “Social dimension of globalisation, promotion of employment and decent work”) have been associated with the MDGs agenda. For each of these priority areas the EU has made “coherence for development” commitments. Strengthening social cohesion is one of the objectives sought, and the EU will cooperate with national authorities, the social partners and civil society. The Commission will examine ways of strengthening the impact analysis tool from the development angle. The Commission will produce biennial reports evaluating the state of play of the new policy coherence agenda.</p>
<p>5.4 The EESC believes that strengthening civil society organisations (workers, employers, consumers, human rights organisations, etc.) in the southern hemisphere should become one of the main priorities of EU development policy. Reducing poverty and inequality involve to a large extent increasing civil society organisations’ capacity for making demands, for negotiating, for achieving compromises and for participating. EU development policy should, accordingly, not only promote their genuine participation in actions arising from development aid but should also strengthen genuine civil society organisations and boost their recognition within their own societies⁸. To this end, specific funding lines should be set up.</p>	<p>The Commission entirely shares the EESC’s analysis (see our Communication, para. 2.2, page 10).</p> <p>In the document reworked by the UK Presidency concerning the first part of the Declaration, the Commission has requested the insertion of specific references aimed at giving the non-State actors a bigger role .</p> <p>Concerning the financing of civil society initiatives, see point 6.5</p>
<p>5.6 To date, only the ACP countries recognise formal involvement of CSO actors at all stages of development cooperation. This obligation, set out in the Cotonou Agreement, does not exist in</p>	<p>Regarding points 5.6, 5.7, 8.12, the Commission is, of course, in favour of working with non-State actors both in the ACP countries and other geographical regions. Non-State actors</p>

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The EESC is aware of the importance of the representativeness of civil society organisations, and the issue is being studied by a subcommittee. The Cotonou ACP-EC agreement contains various eligibility criteria for non-governmental organisations, in this case for access to EDF resources. Similarly, the EESC opinion on «Organised civil society and European governance: the Committee's contribution to the drafting of the White Paper» (EESC 535/2001) lists the representativeness criteria for European civil society organisations.

<p>cooperation with other regions, where only informal consultation takes place⁹. The EESC calls for any future EU development policy to extend this initiative to other regions, establishing formal mechanisms for involving civil society organisations in planning, implementing and evaluating development policies.</p>	<p>are already involved and consulted in the development process.</p> <p>According to the recent proposal presented by the Commission for a regulation of the European Parliament and of the Council establishing a financing instrument for development cooperation and economic cooperation, strategy papers shall, in principle, be based on a dialogue with the partner country or region which involves civil society, so as to ensure that the country or region concerned takes sufficient ownership of the process and to encourage support for national development strategies, particularly those for reducing poverty.</p>
<p>5.11 and 8.21 Development policy can only remain successful and grow if it enjoys adequate backing from society as a whole. The EESC considers that a substantial effort is required to raise people's awareness about development aid. The emergence of a degree of "global citizen's consciousness", which is evident primarily in environmental issues, should be consolidated and extended to the issues of poverty, inequality and world public assets. The EESC believes that schools, the media and, of course, civil society organisations must be involved in this task. The EESC would be happy to act as an instrument for furthering this policy, in cooperation with the European institutions.</p>	<p>Apart from information and publicity, awareness-raising aims to make European citizens more aware of development issues. The Commission notes the emergence of a consensus on the crucial importance, in the poverty reduction agenda, of educating people and raising their awareness of development issues. In the context of the budget line for NGO cofinancing in 2006, the Commission proposed increasing the budget for public awareness campaigns in Europe. Although the Council rejected this proposal it recognised the priority nature of this field in the form of a declaration.</p> <p>The Commission supports the EESC's offer to act as an instrument for furthering this policy. The EESC regional seminars and general assemblies financed by Community aid have already contributed towards disseminating information on the Cotonou Agreement, involving non-State actors in the implementation of</p>

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For example, the civil society forums organised by DG RELEX on relations between the EU and Andean Community, Central America, Mexico and Mercosur.

	<p>the Agreement and encouraging the political debate on development.</p>
<p>6.5 Accordingly, the EESC proposes that it should be made easier for African CSOs to access Community funding, guaranteeing them direct access at national level. A horizontal programme to fund non-State actors should also be put in place and civil society should be increasingly and systematically involved in drawing up and implementing cooperation policies and strategies.</p>	<p>The revision of the Cotonou Agreement saw the introduction of provisions designed to facilitate access of non-State actors to the resources provided for in the national indicative programmes, on the basis of a strategy agreed between the Commission and the ACP country concerned. Consequently, these actors will also be able to benefit <i>directly</i> from funding via grant agreements drawn up between the Commission and the body in question. First, however, the types of non-State actors and the types of activities to be supported will have to be identified in the country's strategy documents.</p> <p>In the context of the financial perspectives 2007-2013, the Commission is at present engaged in consultations aimed at defining the characteristics of a future thematic programme for non-State actors and local authorities in the development process. To this end, a seminar organised jointly with the Economic, Social and Cultural Council will be held on 9 November in Brussels.</p>
<p>6.7 Community development policy must pay greater attention to middle-income countries which nonetheless face major domestic problems of poverty and inequality. We should thus focus on the constant decrease in the percentages of EU aid to Latin America, the region in which the greatest inequalities can be seen and where middle-income countries, such as Brazil, Uruguay and Mexico, have vast pockets of poverty. A system of indicators should be set up in order to monitor the situation in countries like these. The EESC calls on the EU to attach greater priority to Latin America in its development policy.</p>	<p>The Commission will give its views on this question in a new Communication on relations with Latin America scheduled for the beginning of 2006.</p> <p>In principle, the development policy provides a general policy framework, therefore no geographical priority should need to be indicated since it applies to all developing countries.</p>
<p>7.1 The Union has given a commitment to</p>	<p>According to the OECD/DAC figures</p>

<p>achieving at least what was agreed at Monterrey and all the indications are that this commitment needs to be stepped up if the MDGs are to be achieved.</p>	<p>for 2003 (the figures for 2004 are not yet available), the average level of ODA/GDP for EU25 is 0.34%, not 0.22% as stated in the report.</p>
<p>7.5 et 8.17 The need for aid that is predictable and stable conflicts with the principle of national budgets being adjusted annually. This is one of the reasons underpinning the need for additional sources of funding. The other fundamental reason is the need to secure additional funds for development, to be added to the traditional sources of financing. The lack of agreement between the Member States on new sources of additional funding to complement (ODA), as a means of channelling new resources into achieving the MDGs, is delaying their implementation. There are basically two possible innovations for additional mechanisms for funding development aid. First, there is the International Finance Facility (IFF) and second, there is the imposition of international taxes. Apart from the difficulties of obtaining the political commitment to set these instruments in motion, in the case of the first approach, serious questions remain as to the management and use of the funds. As regards the second approach, the main difficulty lies in achieving an international consensus on its application. The EESC considers that both mechanisms have the potential to be viable and to complement one another. It is crucial that they are set in motion, whilst at the same time ensuring that they remain genuinely additional.</p>	<p>The Commission shares the EESC's opinion on the need for additional, predictable and stable sources of funding. However, the IFF was not conceived as an additional source of funding, but rather to speed up the putting in place of funding.</p> <p>The Commission would emphasise that, in the framework of the discussions to increase the volume and effectiveness of development aid and prepare a European position for the United Nations Summit in September 2005, the Commission services analysed the main options in a working paper entitled "<i>New sources of financing for development: a review of options</i>" [http://europa.eu.int/comm/development/body/communications/docs/133_com_s_taff_working_paper_options_en.pdf#zoom=100].</p> <p>Subsequently, two other working papers analysing the possibility of introducing a solidarity contribution based on airline tickets have been prepared, at the request of the Member States. See: [http://www.europa.eu.int/comm/taxation_customs/resources/documents/tax_airline_tickets.pdf] and [http://www.europa.eu.int/comm/taxation_customs/resources/documents/sec_2_005_1067.pdf].</p> <p>These working papers do not constitute the Commission's stand on the mechanisms to be used, nor a Commission proposal in favour of a specific mechanism. They simply present a technical analysis of the options, so that Member States can then examine the possibility of a coordinated initiative for generating additional sources of funding.</p>

	<p>The Commission remains ready to collaborate with any Member States available to implement innovative funding mechanisms.</p>
<p>7.6 Ensuring the total decoupling of aid must be an ongoing aim for development in coming years. Following the many proposals on this matter¹⁰, the EESC urges the Council to push ahead with the Regulation on decoupling aid and ensure that the Member States follow up this issue, even going further than the DAC recommendations.</p>	<p>The adoption procedure concerning the Commission proposal for the decoupling of EC cooperation is nearing completion. It is important to relaunch the discussions for future decoupling in the OECD/DAC context. In addition, the EC Single Market and the rules of competition apply to bilateral aid from EU Member States. The Commission, as part of its requirement to monitor implementation of the EU's commitments in respect of "Financing for Development and Aid Effectiveness" (May 2005), will produce an annual report on future decoupling initiatives taken by EU Member States.</p>
<p>7.7 The current position of the donor countries and of EU policy in particular is geared towards reducing aid for projects and towards funding the budgets of recipient-country governments, in order to give them the means to develop their own policies. The EESC considers that this should never be done at the expense of achieving the aims for which EU aid is provided. Furthermore, this form of funding can promote the principle of ownership, provided that it does not replace old-style project monitoring with a new - political - system of setting conditions for the direction that economic and social policies should take.</p>	<p>To ensure ownership and give recipient countries the space they need to define their policies the Commission has developed and implemented a new approach to conditionality. This approach is performance-based and uses results indicators.</p>
<p>8.2 The EESC considers that EU development policy must play a key role both in disseminating the EU's fundamental values and preventing the adverse consequences of poverty and inequality (insecurity, draining of natural</p>	<p>This would require development policy to be discussed at the European Council. Commissioner Michel undertook, in his speech at the EESC plenary on 29 September, to take this suggestion on board and endeavour to</p>

10 See Opinion CESE 1645/2004 on the *Proposal for a Regulation of the European Parliament and of the Council on the access to Community External Assistance.*

<p>resources, uncontrolled migration). The EESC therefore proposes that EU development policy have equivalent status to security policy.</p>	<p>transmit it to the highest level.</p>
<p>8.4 The EESC considers that the reduction of tariff barriers for exports from developing countries and of subsidies (including subsidies for farming) linked to export prices could help¹¹ to reduce poverty, even if the short-term effects are ambivalent (given that developing countries that are net importers might be affected by price increases). Likewise, it calls for the reform of the agreement on trade-related intellectual property. The EESC therefore recommends that the opening-up of trade in the developing countries be geared towards their gradual integration into the world markets, and be accompanied by programmes for structural reinforcement in these countries.</p>	<p>The EESC's proposal that the TRIPS Agreements be revised/reformed needs clarifying. The TRIPS Agreements establish a minimum level of protection that each WTO member must grant to the intellectual property of another WTO member. The international rules and principles governing intellectual property are important for world trade, giving traders the confidence to invest in foreign markets. They create order and predictability. In addition, the TRIPS Agreements are sufficiently flexible to enable WTO members to tailor the intellectual property rules to their own specific needs and concerns. Consequently there is no need to "revise" or "reform" the Agreements as such. Negotiations are at present going on in the WTO/TRIPS Council to decide how the decision of 30 August 2003 on access to essential medicines (e.g. the question of compulsory licences, Article 31.f TRIPS) should be incorporated into the TRIPS Agreements.</p>
<p>8.10 The EESC calls for all EU policies to be consistent with the development strategy, and for the development policy to be independent and specific in relation to other policies. The EESC believes that it is increasingly important to harmonise the development policies of the Community and of Member States. A joint European platform or agenda must therefore be set up for the European development policy, setting out timeframes and monitoring systems for Member States. The EESC also supports the participation of Member States and</p>	<p>The EESC's opinion goes further than the Commission's proposals, in suggesting that the future joint European platform or agenda for the European development policy should set out timeframes and systems to be implemented by Member States.</p> <p>Knowing that competence in the field of development is shared between the Community and the Member States, the Commission was unable to stretch its proposals so far as to include bilateral aid aspects.</p>

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According to studies carried out by various international institutions, the impact of the reductions in export subsidies on the economies of developing countries is difficult to evaluate since this varies according to the specific situation of each country and the structure of its trade.

<p>the EU in multilateral forums, with common positions. The EESC supports the Commission's position on the need for a Europe-level development policy that involves both the Member States and the Commission itself.</p>	<p>The Commission considers that achieving a European consensus, i.e. an agreement on the objectives, principles, values and commitments of each Member State and of the Commission, will already be a giant step towards attaining the MDGs.</p>
<p>8.12 Following the example of EU-ACP relations, the EESC calls upon the European Commission, Council and European Parliament to support the extension of the EESC's role in relations with ACP economic and social interest groups to other regions, such as Latin America and the Euro-Mediterranean countries. Within this context, the EESC asks the European Commission, Council and European Parliament to support a specific reference to the EESC in point 2.2 of the Joint Declaration on the EU Development Policy, as an effective and necessary facilitator of dialogue with local economic and social interest groups.</p>	<p>The Commission supports the idea of including a specific reference to the role of the EESC in the Joint Declaration, the more so as this reflects what is happening already.</p> <p>The Commission endorses this EESC proposal; to this end, in the amendments made to the text reworked by the UK Presidency it suggested the following specific reference to the role of the EESC (page 4, Common principles, Participation of Civil Society) :</p> <p>“The EU will enhance its support for building capacity of non-State actors in order to strengthen their voice in the development process and to advance political and social dialogue. The European Economic and Social Committee has a role in facilitating the dialogue with local economic and social interest groups.”</p>
<p>8.16 The EESC proposes that the debt cancellation measures approved by the G8 countries be extended to cover all poor countries and be funded with genuinely additional resources.</p>	<p>The Commission has been an important player in the context of the current debt relief initiative in favour of the Highly Indebted Poor Countries, with a pledge of more than € 1.6 billion to the initiative: € 680 million, as a creditor, on EDF claims, and € 934 million as a donor to the HIPC Trust Fund, the majority of funds being earmarked in favour of the African Development Bank. Moreover in December 2001 it was decided to go beyond the HIPC terms and grant 100% relief on the EDF special loans of the least developed HIPC countries.</p> <p>The Commission participated actively to the debates on further debt relief by</p>

publishing in March 2004 a consultancy study "Beyond HIPC" concluding that debt relief, despite being a good way to deliver aid, may imply also risks in terms of a perverse aid allocation and moral hazard. Therefore, the Commission had maintained a prudent position on additional debt relief. In addition at the time the positions of the EU Member States were quite diverging, and debt as such does not fall among the Community competencies.

The G8 Finance Ministers agreed in June 2005 that the International Monetary Fund, the World Bank, and the African Development Bank should cancel 100% of the debt stock owed to them by countries that have reached their Completion Point under the HIPC initiative. Additional resources will be provided to cover the full costs of this relief.

We note that the remarks on the risk of perverse allocation have been taken on board by the Governments of the G8 countries. They propose the additional resources given in compensation of debt service not received to the World Bank and the African Development Bank, to be distributed to all the countries using the normal allocation criteria.

Many of the technical details of the new proposal are still to be clarified, the main one being its financing.

The total cost of the G8 proposal is approximately 50 billion USD.

	<p>The Commission with the Cotonou agreement has switched to grants in the development assistance to ACP countries and therefore has comparatively small amounts outstanding (700-850 million EUR), and has been so far excluded from the initiative.</p>
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C. Opinions to which the Commission offers another type of response

a) Agreement between the Commission and the EESC

6. Social dialogue and employee participation, essential for anticipating and managing industrial change Own-initiative opinion – EESC 1073/2005 - September 2005 DG EMPL – Mr ŠPIDLA	
Main points of the EESC Opinion	Commission position
The opinion welcomes various Commission Communications, in particular COM(2004) 274 "Fostering structural change: an industrial policy for an enlarged Europe"; COM (2004) 557 "Partnership for change in an enlarged Europe - Enhancing the contribution of European social dialogue" and COM(2005)33 on the Social Agenda.	Insofar as this opinion endorses the actions proposed by the Commission on social dialogue [COM(2004) 557] and restructuring [COM(2005) 120], no particular follow-up is called for, other than continuing the actions proposed by the Commission .

- 8. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71
COM (2004) 830 final - EESC 1065/05 – September 2005
DG EMPL - Mr Špidla**

Main points of the EESC Opinion	Commission position
The EESC welcomes the content of the Commission proposal, finding it to be in line with the approach of improving the coordination of social security schemes in the European Union.	The Commission welcomes the EESC's favourable opinion and backing. The Commission consequently considers that no particular follow-up action is required.

- 12. Proposal for a Council Regulation amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco
COM(2005) 235 final - EESC 1062/2005 – September 2005
DG AGRI – Ms FISCHER-BOEL**

This opinion will not be followed up since it fully endorses the Commission proposal.

- 17. Proposal for a Council Regulation amending Regulation (EC) No 3317/94 as regards the transmission of applications for fishing licences to third countries
COM (2005) 238 final – EESC 1063/2005 –September 2005
DG FISH – Mr Borg**

Main points of the EESC Opinion	Commission position
The EESC endorses the proposal for a Regulation presented by the Commission.	No follow-up is necessary.

<p>20. Proposal for a Directive of the European Parliament and of the Council correcting Directive 2004/18/EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts COM (2005) 214 final - EESC 1058/2005 - September 2005 DG Markt – Mr McCreevy</p>	
Main points of the EESC Opinion	Commission position
Favourable opinion without amendments.	The Commission considers that no follow-up is necessary on this EESC opinion, since the Commission and the EESC are in full agreement with one another.

b) Opinions on which the Commission offers certain comments

<p>5. European industrial districts and the new knowledge networks 2'nd Own-initiative opinion - EESC 374/2005 – April 2005 quarter DG ENTR – Mr VERHEUGEN 05</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission Position</p>
<p>1.9 : The resetting of priorities under the Lisbon strategy should, in the opinion of the EESC, treat industrial districts and their development as a key element in the creation of new knowledge and, above all, more and better jobs. This will involve drawing on the considerable opportunities provided by the networks, which can generate repeated cross-fertilisation between the codified knowledge of research and the tacit knowledge¹² that spreads and takes root in production and distribution systems.</p>	<p>The Commission shares this opinion and emphasised the importance of innovation-linked clusters in its Communication adopted on 2 February 2005, “Working together for growth and jobs – A new start for the Lisbon Strategy”.</p> <p>Its Communication “More Research and Innovation - Investing for Growth and Employment” invites Member States to develop national and regional policies for innovation poles and clusters through the support offered by the EU Structural Funds. Various EU measures will encourage and support the efforts of the Member States and the regions. The Commission will provide them with an analytical overview of the strong points and strategies of the clusters that already exist in Europe. The initiative EUROPE INNOVA will facilitate the networking of industrial clusters in order to enhance transnational cooperation and learn how to construct and manage clusters on the basis of their mutual experience.</p>
<p>5.1 : In many parts of Europe, industrial policy, that until present had been generally directed towards sectoral policies and initiatives, has started to look to the local area as well, in order to sustain the conditions that contributed to the success of "Made in ..." labels around the world. Frequently, however, local production systems encounter difficulties in finding adequate answers from an organisational and managerial point of view. This has opened the door to new types of support,</p>	<p>Since the start of this millennium the Commission has established the principles for a horizontal industrial policy designed to improve the operating environment for companies. In this context, clusters and networks of companies are a very effective lever for helping to make regions and countries more competitive. In its Communication of 2 February on revision of the Lisbon Strategy, the Commission stressed the importance of pursuing these actions and exploiting the opportunities at</p>

¹² Nelson, R and Winter, S.G. (1982), *An evolutionary theory of economic change*. Tacit knowledge, as opposed to information and codified knowledge, is not formalised and can only be generated through social interaction/relationships.

<p>no longer directed at individual companies, but rather focusing on the local system as a whole.</p>	<p>Member State level.</p>
<p>5.13.4 : Enterprise policy - The following should be noted with regard to enterprise and innovation policy:</p> <ul style="list-style-type: none"> - the Innovation and SMEs programme; - the RITTS programme (Regional Innovation and Technology Transfer Strategies); - the TRIP projects (Trans-regional innovation projects); - the PAXIS pilot action; - the Euro Info Centre Network. 	<p>The Commission shares the view that regional co-operation has an important role to play in technological innovation. It offers therefore instruments to assist regional and local actors to establish such co-operations.</p>
<p>6.5 : the EESC is convinced that these metadistricts are a genuine key to success in a global market, as they can secure SMEs better access to high-level skills, modern shared services and new knowledge-based facilities, while also improving company management and making for a better informed and more mature workforce.</p>	<p>The Commission shares the view that innovation poles and clusters at the local and regional level are important to bring all those who contribute to innovative activities together. Clusters and poles thus constitute an important element of the Commission's innovation strategy.</p>
<p>6.6 : the EESC would argue that the creation of a European platform for districts could provide a much needed, coherent, transparent and easily accessible framework for SMEs and for old and new Member States, the applicant countries and the EU's European neighbours.</p>	<p>The Commission is of the opinion that the creation and development of European networks is an appropriate means to foster the exchange of experiences, know-how and best practice for regional and local innovation actors. Moreover, these networks pro-actively support measures in favour of internationalisation.</p> <p>The latter point is all the more important as many poles and clusters are relatively small. Networking constitutes a way to achieve the critical mass necessary for a decisive impact. Transnational co-operation is therefore essential for regions to improve</p>

	their innovation performance.
<p>6.9 : the European platform for districts should provide a programme framework for , amongst all:</p> <ul style="list-style-type: none"> • new European metadistrict network initiatives for specific industrial sectors; • measures to promote the cultural growth of workers in district organisations; • the exchange of best network practice, on the basis of harmonised criteria for evaluations and procedure; • joint training measures for district managers, business leaders and financial and credit system managers; • the creation of Jean Monnet Chairs¹³ on the new knowledge-based district networks, and of European prizes for the most successful and transferable examples of European districts; • the development of a strong communication and information function based on an interactive portal on the knowledge-based districts; • the inclusion of a specific budget line in the seventh RTD framework programme; • the inclusion of a programme of support activities for district development, within the new cohesion policy framework for 2007-2013. 	<p>The establishment of appropriate platforms depends on the initiative of regional and local actors. The Commission is convinced that the Union's regions have sufficient points in common to find appropriate co-operation partners.</p> <p>The Commission is prepared to support appropriate initiatives financially to further advance such co-operation. The Commission launched on 5 October a call for proposals under the PRO INNO Initiative. This initiative aims at the extension of transnational networking between regions in the direction of a close co-operation at the operational and programmatic level.</p> <p>The thrust of the PRO INNO Initiative will be continued in the Competitiveness and Innovation Programme (CIP). The CIP foresees direct support to common programmes and actions between innovative regions in its Business Innovation Support Scheme (BISS).</p> <p>Several platforms already operate in this sense, e.g., in the context of PAXIS, the Innovating Regions in Europe (IRE) or the research pilot action on Regions of Knowledge.</p> <p>The Commission aims at consolidating and intensifying their co-operation as a contribution to the evolution of the common innovation area.</p>

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Between the beginning of 1990 and October 2003, the DG for Education and Culture approved approximately 2,500 teaching projects on European themes: these include 82 European Poles, 601 Chairs and 1560 permanent courses and modules. The calls offering funding are published annually on the following website: http://europa.eu.int/comm/education/programmes/ajm/index_en.html

<p>7. Concluding recommendations.</p>	<p>The Commission will continue its existing instruments in support of transnational co-operation in innovation and propose new activities.</p> <p>The Commission is confident that the proposed 7th research framework programme and the Competitiveness and Innovation Programme will offer regions means to further advance their co-operation exploiting their synergies to their mutual advantage.</p> <p>The new Communication of the Commission “<i>More Research and Innovation – Investing for Growth and Employment</i>” provides for the consistency of measures taken.</p> <p>The Commission also aims at a more targeted and successful use of the Structural Funds and of the Rural Development Fund for activities in the domain of innovation.</p>
<p>7.1 : Deindustrialisation is under way in all the more advanced countries. In the EU, value added of the tertiary sector has risen to 70% of total GDP (22% for industry, 5% for construction and 3% for agriculture)¹⁴. The process should not, however, be encouraged, since a large part of the value added is channelled to, or originates in, businesses¹⁵: trade and transport 21.6%; financial and business services 27.2%; public administration 21.6%¹⁶.</p>	<p>The Commission, in its Communication “<i>Fostering structural change: an industrial policy for an enlarged Europe</i>”, analysed the deindustrialisation process. One of the conclusions was that a process of structural change was under way which should not be confused with deindustrialisation. The process consists rather of a reallocation of resources from industry to services, and, within individual sectors, of an increase in knowledge input.</p>

14 Source: Eurostat, structure of gross value added, 2002.

15 According to the Bureau of Economic Analysis, every \$1 of final demand spent on a manufactured good generates \$0.55 of GDP in the manufacturing sector and \$0.45 of GDP in non-manufacturing sectors. *Manufacturing in America: A Comprehensive Strategy to Address the Challenges to U.S. Manufacturers*; Department of Commerce, January 2004 (http://www.commerce.gov/DOC_MFG_Report_Complete.pdf) November 2004-MANUFUTURE . EUROPEAN COMMISSION .

16 Source: Eurostat, ibidem.

7.10 : A Community centre for coordination and cooperation between the district set-up and the various institutions involved could also be established within DG Enterprise. This centre could, among other things, produce and update guides to good practice, to be distributed at regional level.

DG ENTR has set up the PAXIS and IRE networks for identifying and disseminating examples of good cooperation practice in the field of innovation and regional innovation strategies (RIS). The INNO-Nets complement these tools specifically in the field of programme cooperation. The Commission will continue to promote the learning of good practice, as announced in its Communication *“More Research and Innovation - Investing for Growth and Employment”*.

<p>4. The scope and effects of company relocations Own-initiative Opinion - EESC 851/2005 – July 2005 DG ENTR – Mr Verheugen</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission Position</p>
<p>3.7.4 Given the relevance and interest of the issue, the Committee will follow the development of relocation in Europe.</p>	<p>The Commission agrees on the broad thrust of the Committee’s Opinion and acknowledges the importance of relocation in Europe. Although these can have painful consequences on a local or individual sectoral basis, especially on lower skilled workers that should be helped to cope with the consequences of industrial restructuring, international relocations of EU jobs to low cost countries have been limited in most manufacturing sectors.</p>
<p>3.5 With a view to improving and preserving the competitiveness of businesses in the EU, the Committee calls for improved protection for intellectual property rights and the enforcement of those rights in third countries.</p>	<p>The Commission considers that Intellectual property rights (IPR) are of key importance for the competitiveness of many industrial sectors. In the recent Communication on Industrial Policy, seven major cross-sectoral policy initiatives, including on IPR, are announced. While key areas have already been harmonized, more can be done to ensure that the regulatory framework meets the needs of industry at a time of rapid technological development and societal change. The debate engendered by the proposed directive on the patentability of computer-implemented inventions has demonstrated that framing IPR rules, which balance the needs of all stakeholders is by no means easy. The Commission will therefore launch a dialogue with industry and other interested parties in 2006 to determine what more might usefully be done to provide European industry with a sound IPR framework. In addition, the proper enforcement of IPR within the</p>

	<p>internal market and in third countries is of the highest importance to fight counterfeiting and piracy occurring in many sectors. Many companies, in particular SMEs, are still not aware of their rights to obtain adequate IP protection, whilst counterfeiting continues to be a major problem in many areas of trade. Taking account of existing and planned anti-counterfeiting and anti-piracy instruments and measures, including those in the enforcement¹⁷ and customs fields, the Commission will review the state of progress in the whole area of IPR with a focus on competitiveness issues and come up with suggestions on how to improve the situation in 2006.</p>
<p>4.4 The Committee recommends that the Commission also pursue a sector-based in addition to a horizontal approach in EU industrial policy, since the recommendations of the High-Level Groups show that the pharmacy, textiles and clothing, ship-building and automobile sectors all face specific problems that call for tailor-made solutions and specific measures¹⁸. These problems cannot be solved through a horizontal approach.</p>	<p>The Commission is committed to the horizontal nature of industrial policy but agrees that for industrial policy to be effective, account needs to be taken of the specific context of individual sectors. In fact, in preparing its recent Communication¹⁹ on Industrial Policy, the Commission Services undertook a systematic screening of opportunities and challenges for 27 separate sectors of EU manufacturing industry and construction²⁰. On this basis, an outline of work for industrial policy over the coming years has been constructed. This Communication deepens and supplements the EU framework for</p>

¹⁷ Including the Commission proposals for a directive on “EU criminal law provisions to combat infringements of intellectual property rights”, July 2005.

¹⁸ The principal common objective of these four High Level Groups (HLGs) set up by the European Commission between 2001 and 2005 is to stimulate debate on initiatives that will facilitate the adjustment of the respective sectors to major challenges and improve conditions for the competitiveness of related European industry. Of these HLGs, three have published their reports (pharmaceuticals in May 2002; textiles and clothing in June 2004, although it has resumed its work at "sherpas" level to continue the debate on unfinished issues and to monitor the situation of the sector in 2005; shipbuilding in October 2003). The CARS21 HLG final report is expected before the end of 2005.

¹⁹ Implementing the Community Lisbon Programme: A Policy Framework to Strengthen EU Manufacturing – Towards a More Integrated Approach for industrial Policy, COM(2005)474, Final, 5.10.2005.

²⁰ See the accompanying Staff Working Paper SEC(2005) 1216. The challenges facing the Business related services sectors are described in the Communication on the Competitiveness of Business Related Services and their Contribution to the Performance of European Enterprises, COM(2003) 747, which also announced an Action Plan on Business Related Services.

	industrial policy by focussing on its practical application to individual sectors.
<p>4.5.1 Education, training and skills: Human capital is very important for industrial competitiveness and will probably become even more so (a clear example of this is the fact that lack of skilled workers is the main constraint on the development of SMEs). In the coming years it will become increasingly clear that the availability of skilled workers is a critical factor in determining the long-term international competitiveness of European industry. For that reason great importance will be attached to training and immigration in the context of the legislation and common policy of the Union. European industrial policy must put education, training and skills at the centre of its strategy, with special attention being paid to the ongoing training of workers.</p>	<p>The Commission has already begun to address skill shortage issues through a number of policies, such as the Education and Training 2010 work programme, including the European Qualification Framework (EQF) that will serve as a common reference for European education and training systems, facilitating the transparency, transfer, and recognition of qualifications with a special reference to the sectoral level²¹. To supplement these existing initiatives, the recent Communication on Industrial Policy proposes to make assessments of the nature of the skill problems in particular industries. These assessments would include the identification of current sectoral skill requirements and skill gaps, and would examine likely developments in sector-specific competences, including where possible effects on SMEs. Building upon the ongoing work by CEDEFOP, this information base would allow the articulation of future specific policy initiatives in the light of sectoral competitiveness requirements.</p> <p>In the recent Communication on Industrial Policy skill shortages were identified as a key challenge in a wide range of different industries, including the ICT and engineering industries, the textile and leather industries, and a number of basic and intermediate goods industries. Moreover there is some evidence that relocation of industrial activity is in some cases motivated more by skill shortages than by cost factors.</p>
<p>4.5.5 Key sectors. A more active sector-</p>	The Commission does not intend to pick

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“Work Programme on the Objectives of Education and Training Systems” adopted by the Council and the Commission on 14 February 2002; see also the “Commission’s Action Plan on Skills and Mobility” COM(2002) 72.

based industrial policy, which fosters public-private cooperation, is needed.

up winners among the sectors reflected in the recent Communication on Industrial Policy, which announces seven major **cross-sectoral policy initiatives** addressing the common challenges across groupings of different industries and to reinforce the synergies between different policy areas in the light of competitiveness considerations.

In addition to cross-sectoral initiatives, a number of new political **sector-specific initiatives** have been identified in the same Communication on Industrial Policy, based on their nature or particular importance. These initiatives take a variety of different forms. Some of these involve new high-level groups or policy fora, following up the successful examples of G10 Medicines, the LeaderSHIP 2015, and the CARS21 which will continue to make an important contribution in the future. Whenever a new sectoral initiative is proposed, full attention will be given to ensuring its coherence with other initiatives.

The Commission addresses the issue of **private-public partnership** through The European Technology Platforms²², which have already demonstrated themselves as an important voluntary, bottom-up process for shaping industrial and policy strategies in well-defined key technology domains via their ‘strategic research agendas’, will contribute to increasing industrial investment in research and innovation and Europe's capacity to commercialise new technologies.

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Report to the European Council on European Technology Platforms and Joint Technology Initiatives: Fostering Public-Private R&D partnerships to boost Europe's industrial competitiveness, SEC(2005) 800 of 10 June 2005.

<p>5. The contribution of tourism to the socio-economic recovery of areas in decline Own-initiative opinion - EESC 1057/2005 - September 2005 DG ENTR – Mr Verheugen</p>	
Main points of the EESC Opinion	Commission position
<p>The EESC considers that tourism is a great opportunity and alternative for areas in decline; it can provide them with a source of economic activity with enormous potential for social and business development and job creation.</p>	<p>The Commission has noted the EESC's views.</p>
<p>Points 2.3.2.2, 5.3.1, 6.4 et 7.2 It is proposed that the Commission undertake a pilot project, based on successful experiences, to study better ways of using the Structural Funds for the promotion of tourism in areas in socio-economic decline.</p>	<p>The Commission plans to launch a more general project based on successful experiences. This could include destinations in areas in socio-economic decline.</p>
<p>The EESC considers that coordination of initiatives at different levels of administration - national, regional and local - should be encouraged.</p>	<p>The Commission can only stress that it shares this view, as already indicated in its Communication COM(2001) 665 final, <i>“Working together for the future of European tourism”</i>.</p>
<p>Point 7.4 The EESC would like the Member States to create tourism observatories, which would analyse the sector's possibilities and propose different integrated tourism development strategies and policies.</p>	<p>The Commission has noted this wish.</p>
<p>Point 7.5 The EESC continues to promote European policies focused on the creation of a European tourism model.</p>	<p>The Commission has noted this and continues to promote sustainable development for European tourism, as indicated explicitly in its Communication COM(2003) 716 final of 21 November 2003, <i>“Basic orientations for the sustainability of European tourism”</i>.</p>

<p>7. Communication from the Commission – The Social Agenda COM (2005) 33 final – EESC 846/2005 - July 2005 DG EMPL – Mr ŠPIDLA</p>	
<p>Main points of the EESC Opinion</p>	<p>Commission position</p>
<p>The EESC welcomes the European Commission's Communication on the Social Agenda; this Communication does, in the EESC's point of view, help to underline the importance of social policy to the achievement of the Lisbon objectives. The EESC does, however, believe that, despite the strategic approach which it pursues, the communication does not meet, in all respects, the special expectations. In particular, the new Agenda does not specifically recognise the role of social policy as a productive factor. Also, making growth and employment the priorities will not automatically bring about improvements in the social situation. The EESC believes that social policy must not be subordinated to economic policy; these two policies are, in its view, of equal importance.</p>	<p>The Commission regards the Social Agenda as an integral and essential part of the renewed Lisbon Strategy. Promoting high-quality jobs, building solid partnerships, modernising social protection and other efforts in the social field are all crucial if we are to meet the major challenges thrown up by the Lisbon Strategy – globalisation and demographic change. The Social Agenda emphasises the need to pursue an integrated European approach guaranteeing positive interplay between economic, social and employment policies. It should also be pointed out that the European Council welcomed the new Social Agenda at its March meeting, emphasising that it would help towards the achievement of the Lisbon strategy objectives by reinforcing the European social model based on the quest for full employment and greater social cohesion.</p>
<p>The EESC deplors the fact that the new Social Agenda sets out fewer concrete measures than did its predecessor, and therefore expects the strategic framework to be complemented by concrete measures. In the EESC's view, the new Social Agenda should go hand-in-hand with an action programme covering the next five years.</p>	<p>This edition of the Social Agenda is not so much a work programme as a strategy framework within which the Commission identifies the major dossiers in respect of which it seeks to open up discussions and analyse possible lines of action to be pursued. The nature and substance of the concrete proposals and actions will depend largely on the results of these analyses and will be examined on a case-by-case basis. The Commission welcomes the prospect of in-depth discussions with the EESC, which will take place as and when concrete initiatives springing from the Social Agenda are presented (such discussions are in fact already in progress on certain dossiers).</p>

The EESC points out that the Commission had already indicated that the structure and resources of the future EU budget would have to reflect and promote the Lisbon strategy. The EESC fears that, because there is no provision for any real increase in funding in respect of future social policy, the budget proposal is likely to fail to match up to this demand.

In its proposal on the Financial Perspectives the Commission has demonstrated its political will and desire to re-orient spending towards the Lisbon Agenda, by grouping its actions directly linked to the attainment of the Lisbon Strategy objectives under heading 1, with a substantial budget.

As regards the budget for implementing the Social Agenda, which forms part of this heading 1, the Commission felt that the resources at present available were sufficient and that no increase was necessary, apart from an adjustment for inflation and the accession of Bulgaria and Romania.

10. Poverty among women in Europe Referral to EP - EESC 1074/2005 - September 2005 DG EMPL – Mr ŠPIDLA	
Main points of the EESC Opinion	Commission Position
Women are generally at greater risk of living in a poor household(16% compared to men at 14%); single mothers, older women and women facing multiple discrimination(disabled, lesbians, immigrants, ethnic minorities) are at a higher risk of social exclusion and poverty.	Women, in particular those identified in the opinion as being at a higher risk of poverty and social exclusion, constitute one of the most vulnerable groups addressed in the context of the open coordination on social inclusion
Despite an increased participation of women in the labour market, the gender pay gap is still at 116% on average at EU level and women continue to be the main providers of care for children and other dependants.	The Commission is keen in promoting equality between women and men in these areas, in particular by reinforcing the control on the implementation of the Community Directives which are relevant in these areas.
Lone parent households, of which 85% are headed by women, are increasing and they are have a particular risk of suffering from poverty.	The Commission is currently finalising the evaluation of tenders submitted within the context of a call published earlier this year on lone parents households, with particular attention paid to the gender dimension of this phenomenon.
Teenage pregnancy, in-work poverty , unpaid work and long- term unemployment are issues which are closely associated with women' s condition and may result in situations of poverty and social exclusion.	These issues are dealt with through a better implementation of gender equality legislation, as well as within the context of the National Action Plans on social inclusion .
Pension systems need to be adapted in order to ensure gender equality.	As stated in the 2005 Joint report on social protection and social inclusion, pension schemes should be adapted to the evolving needs of the individuals and they need to take account the greater diversity of employment patterns and the desire for greater gender equality.
The National Action Plans on social inclusion do not include gender –specific indicators.	This is not the case: The Laeken indicators are gender disaggregated as well as the relevant data.

<p>There is little indication on what women think and feel being poor.</p>	<p>The country holding the EU presidency during the first semester of the year , in cooperation with EAPN and the Commission, been organising for the last four years a meeting of women and men who live in situations of poverty , with a view to offer these people the possibility to express what they think and feel about being poor and socially excluded. A fifth meeting is foreseen to take place in Brussels in May 2006 under the Austrian Presidency.</p>
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<p>21. Communication from the Commission – A stronger partnership for the outermost regions COM (2004) 343 final - EESC 847/2005 - July 2005 DG REGIO – Ms HÜBNER</p>	
<p>Main points of the EESC opinion</p>	<p>Commission position</p>
<p>3.3. The EESC welcomes the fact that the Commission has accepted the recommendation it made in its Opinion on the “Future strategy for the outermost regions of the European Union” to reinforce the Commission’s interdepartmental group for the outermost regions, creating a specific unit in DG Regio to give it more human resources, and hopes that its role of interdepartmental coordination will not be obstructed.</p>	<p>The coordination role played by DG REGIO is complemented by the work of Commission interservices group I, which looks at the special features of the outermost regions for each of the Community policies. These instruments ensure coordination between the different services within the Commission in the treatment of issues relating to the outermost regions.</p>
<p>3.6. The EESC shares the Commission’s concern to integrate the outermost regions into the Lisbon and Gothenburg strategy with a view to creating jobs and boosting economic reform and social cohesion, and therefore proposes that their potential be harnessed in the area of the knowledge-based society.</p>	<p>In accordance with the guidelines set out in the Communication, the Commission will give substance to this guideline on the occasion of the reform of the cohesion policy and the implementation of the Community Strategic Guidelines. Other specific initiatives are also planned in the fields of new information technologies and communication and in the field of research and innovation.</p>
<p>4.1. The EESC welcomes the fact that the Commission Communication takes into consideration a number of the recommendations made in its own-initiative opinion but regrets that others have not been taken into due account.</p>	<p>The Communication simply seeks to propose some answers in respect of certain policies. In no way is it meant to be a rigid framework containing all the definitive answers regarding the outermost regions.</p> <p>It is an evolving document, framed by the Financial Perspectives 2007 - 2013 and the package of legislation that will flow from these Financial Perspectives (including the reform of the cohesion policy). It will be up to the Council, at some point in the near future, to translate these proposals into reality.</p> <p>The Commission would also point out that a large number of measures have been adopted in various fields of Community action since the second half of 2004 and the start of 2005, which illustrates the evolving nature of this dossier and the desire to take into account the special features of the outermost regions.</p>

<p>3.1. et 4.4. The EESC notes that there is no explicit reference to the legal scope of the new Article III-424 of the draft Constitutional Treaty.</p>	<p>The draft Constitutional Treaty has not yet been ratified by all Member States. Its Article III-424 does not modify the criteria established in Article 299(2) of the EC Treaty at present applicable to all Council measures.</p>
<p>4.5. The EESC regrets that the Commission's strategy for the outermost regions is chiefly and almost exclusively concerned with cohesion policy, hardly making any provision at all for action in other spheres.</p>	<p>Within the context of the cross-sectoral strategy for sustainable development in the outermost regions, numerous measures in fields other than regional policy are mentioned in the Commission Communication, and many of these have already been implemented, including measures in the sectors of agricultural policy, fisheries policy, competition policy, fiscal policy, commercial policy, development policy, transport policy, research policy, etc. This cross-sectoral policy is complemented by the strengthening of the tripartite partnership, designed also to let civil society know about the strategy, and by the creation of sectoral working groups which include representatives of the Member States and the regions.</p>
<p>4.6. The EESC hopes that the progress made in identifying the specific characteristics of the outermost regions and noting the inadequacy of certain sectoral policies will result in a cross-sectoral strategy for these regions which takes account of their specific, anomalous situation within the Community.</p>	<p>Defining and implementing a cross-sectoral strategy for sustainable development in the outermost regions is an evolving process, not one which can be set in stone at a given point in time. The numerous Community measures (both legislative and non-legislative) adopted prior to and subsequent to the Commission Communication of May 2004 are expressly based on a cross-sectoral approach which takes into account the specific situations of the outermost regions.</p>
<p>4.7. The EESC therefore thinks that the lack of consideration given to the role of other Community policies means that, strictly speaking, this cannot be called a genuinely comprehensive, coherent strategy for the outermost regions as required by the Seville European Council.</p>	<p>The strategy is defined and implemented by reference to the three cross-sectoral priorities identified in the Communication, namely: reducing difficulties of access and reducing the impact of the other handicaps besetting these regions; making the economies of the outermost regions more competitive; and promoting regional integration. All the policies concerned share the aim of reducing, in a concerted manner, the development problems faced by these regions, both in terms of the financial resources available and the legislative and non-legislative measures applicable.</p> <p>The Commission would also refer back to its</p>

	responses at 4.1. and 4.5 above.
<p>4.8. The EESC regrets this oversight, particularly where agriculture is concerned, in that no response is given to many of the questions raised by the outermost regions which urgently require solutions to be found.</p>	<p>The agriculture sector is one of the sectors in which we have seen the largest number of recent measures concerned with the special situations of the outermost regions and the guidelines included in the Communication. For example: a proposal for a Regulation concerning certain agricultural products in the outermost regions of the European Union (the POSEI regime for agricultural products); a Regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); and a proposal for a Regulation for the reform of the common organisation of the market in sugar, featuring particular measures for the outermost regions.</p>
<p>4.9. Similarly, the EESC regrets the lack of provisions on immigration policy seeking to provide solutions to urgent problems constantly besetting some of the outermost regions and calls for the specific characteristics of these regions to be taken into account in future immigration policy.</p>	<p>The Commission has indeed noted the special problems face by the outermost regions when it comes to immigration. Because of their history and geography, these regions are migratory crossroads.</p> <p>The Communication addresses the question of immigration at point 3.1.6.3.</p> <p>The Communication also indicates that the measures in the “wider neighbourhood” action plan include measures to combat illegal immigration, including on the territory of third countries.</p> <p>The report of 06.08.2004 on the outermost regions mentions this problem and the difficulties encountered by certain outermost regions.</p> <p>Community legislation on asylum and legal and illegal immigration applies in full to the outermost regions, except for the Schengen Convention, which does not apply in the same way to all the outermost regions. For example, it does not cover the French outermost territories.</p> <p>Various Community measures have been adopted for the implementation of an area of freedom, security and justice.</p> <p>The strengthening of cooperation with the outermost regions is supported by substantial funding. The European Refugee Fund, the ARGO</p>

	<p>programme and the new instruments under the framework programme “Solidarity and management of migration flows” take the special situations of these regions into account.</p> <p>Integration of legal migrants is one of the Commission’s priorities, as exemplified by the directives on family reunification and on the status of long-term residents. As for the illegal immigration that these regions have to contend with, we would refer to the action plan of 28 February 2002 which defines the Community’s strategy in this field. An action programme for the return of illegal immigrants, INTI preparatory actions and a programme of aid to third countries (€250 million for the period 2004-2008) have been adopted.</p> <p>It should also be added that the question of immigration can be addressed under the heading of cooperation within the cohesion policy.</p>
<p>4.11. The EESC notes that the Commission’s strategy for the outermost regions is based almost exclusively on two specific instruments: the programme to compensate for the specific constraints they face, and the "wider neighbourhood" action plan.</p>	<p>Given the major role played by the cohesion policy in relation to regional development, we should welcome the fact that the outermost regions dimension has been included within the framework of this policy. These two new instruments do not replace the other areas of action but complement them.</p>
<p>5.1. The EESC believes that the Commission should draw up a comprehensive strategy for the outermost regions, providing the resources necessary to implement it in accordance with the commitments made in its March 2000 report and called for in the June 2002 Seville European Council Conclusions. To this end, it must be made clear that the current Article 299(2) of the Treaty (the future Article III-424 of the Constitution) is the sole, common legal basis for all measures applying to the outermost regions, whether they involve derogation from the actual Treaty or amendment or adaptation of secondary legislation.</p>	<p>The comprehensive strategy for the outermost regions was set out by the Commission in its Communication of 26.05.2004 and its report of 06.08.2004. There are three main strands to the strategy, namely: reducing the impact of the handicaps besetting these regions, including difficulties of access; strengthening their competitiveness on the basis of the Lisbon and Gothenburg Strategies; and promoting the regional integration of the outermost regions into their surrounding geographical areas.</p> <p>Numerous measures (both legislative and non-legislative) to assist the outermost regions have been adopted prior to and subsequent to the Communication and the report.</p> <p>In the areas of the cohesion policy, agriculture, fisheries and taxation, the legislative measures proposed or adopted refer expressly to Article 299(2). In other areas, such as State aid, research</p>

	<p>and transport, the absence of a reference to Article 299(2) has not prevented the Commission from proposing specific measures in favour of these regions.</p>
<p>4.2, 4.3, 4.10 et 5.2.1. The Commission should consider not applying the general cohesion policy eligibility criteria to the outermost regions, as the best way of enabling them to tackle their permanent constraints, while, in addition, ensuring that they continue to receive uniform treatment.</p>	<p>The Commission decided that the outermost regions should not be automatically eligible for the “convergence objective”, because of:</p> <ul style="list-style-type: none"> – the enlargement situation (per capita GDP in most of the new Member States is lower than per capita GDP in the outermost regions); – budgetary constraints; – the fact that regional policy is not set in stone but is based on the economic and social development of the regions. <p>The Commission distinguishes the specific question of the outermost regions (persistence and accumulation of the handicaps which hamper their development) from the convergence objective based on the relative level of development. Eligibility for the convergence or competitiveness objective is based on the economic performance of each region. It therefore seemed more appropriate to propose an additional allowance designed to offset the impact of the handicaps faced by the outermost regions, accompanied by specific eligibility rules for these regions.</p>
<p>4.3. et 5.2.2. The Commission should allocate the two proposed specific instruments sufficient funding to enable them to meet the needs and resolve the problems of all the outermost regions</p>	<p>Additional resources have been allocated to the outermost regions under the regional policy (specific programme to compensate for additional costs). This additional funding is exclusively reserved for these regions.</p> <p>The outermost regions will also benefit from the increased funding made available for “European territorial cooperation” and from the eligibility of their territories for assistance within the context of “transnational and cross-border cooperation”.</p> <p>The final amount of funding allocated for the outermost regions will be decided in the context of the Financial Perspectives 2007 – 2013.</p>
<p>5.2.3. The Commission should spare no effort or resources to give practical effect to the "wider neighbourhood" action plan through</p>	<p>The “wider neighbourhood” action plan aims to get the outermost regions more integrated into the geographical zone to which they belong, and in</p>

<p>effective, coherent coordination with EU development policy and, in particular, with the provisions of the Cotonou Agreement, the MEDA (southern Mediterranean and the Middle East) and ALA (Latin America and Asia) programmes and other future Community programmes and initiatives launched with specific regions of the world.</p>	<p>particular with the ACP countries in the zone. It is not a separate financial instrument but a Commission initiative which seeks to improve coordination of the Community's efforts in all the Community policies concerned, in order to get the outermost regions more integrated into the geographical zone to which they belong. These actions are primarily funded from the cohesion policy, via the new "European territorial cooperation" objective. Implementation of this action plan has led to progress being made in the area of commercial policy (campaigns to raise awareness about the negotiation of EU-ACP Economic Partnership Agreements, in respect of which the Member States were asked to identify the interests of the outermost regions), in tie-ups between the different financial instruments available, in the policy of aid for transport to facilitate connections with neighbouring third countries, and in the field of cooperation in the research sector.</p>
<p>5.2.4. et 5.2.5. The Commission should safeguard the interests of the Community banana sector as a whole in the impending changes to the rules governing the COM in bananas, improving the current market equilibrium so that growers from the less developed countries can have access to the Community and global markets while, at the same time, Community growers' incomes and jobs can be safeguarded, by setting an appropriate tariff which is sufficiently high to secure the future of the Community banana sector.</p>	<p>The Commission regards this as a priority dossier and is examining it closely. The results of the COM evaluation currently under way will be presented for widespread public discussion at the end of 2005. All stakeholders will be invited to submit their views and suggestions. In the wake of these discussions it is highly likely that the Commission will present proposals for improving the support scheme for Community producers.</p> <p>As regards setting the customs tariff, the level proposed is sufficient to preserve Community production and secure its future.</p>
<p>5.2.6. The Commission should, when amending the Posei agricultural programmes, ensure that their potential is fully exploited. This has not been the case so far, mainly because some of the measures are very recent. The ceilings established for the programmes should be respected, allocating sufficient funding to enable the goals set to be achieved.</p>	<p>The proposal for a Regulation of the Council on certain agricultural products in the outermost regions of the European Union will ensure that the resources allocated for supporting agricultural production in the outermost regions are stabilised at a sufficiently high level.</p>
<p>5.2.7. The Commission should address the specific needs of the outermost regions as regards rural development policy, not least by abolishing provisions which restrict or prevent access to structural aid; compensating</p>	<p>As announced in the Communication and as provided for in the Council Regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), the allocation of resources for the</p>

<p>farmers for increased costs; setting aid levels which are commensurate with the needs of these regions; and increasing Community coverage by introducing support measures in the following and other fields: specific production systems, use of appropriate machinery, agricultural insurance schemes, promotion of the setting-up of associations, and programmes for combating harmful organisms.</p>	<p>future Rural Development Fund will take account of the special situations and needs of the outermost regions.</p> <p>It is planned to increase the Fund intervention rates, in the same way as for the Structural Funds</p>
<p>5.2.8. The Commission should adopt new measures to boost the competitiveness of farm products such as tomatoes, fruit, plants and flowers, which have to compete in the same markets as similar products from other countries with which the EU has association agreements, such as Morocco, or which have preferential systems, such as the ACP countries.</p>	<p>As announced in the Communication, modification of the POSEIs management system (presentation of programmes by the authorities of the Member States) will, within the limits of the budget ceilings available, enable a more flexible aid policy to be applied, which will benefit local agri-food networks.</p> <p>See also the Commission's response at point 5.2.4</p>
<p>5.2.9. The Commission should take the necessary measures to ensure that all the outermost regions continue to benefit from the current levels of funding and aid, where both the future Rural Development Fund and the future European Fisheries Fund are concerned.</p>	<p>The European Fisheries Fund (EFF) will meet the new needs of the fisheries sector. In facilitating application of the reform of the Common Fisheries Policy (CFP), the Fund will make an important contribution towards ensuring sustainable fishing from the environmental, economic and social angles.</p> <p>As is the case with the Financial Instrument for Fisheries Guidance (FIFG), the outermost regions will benefit from a special modulation of the EFF intervention rates. The EFF will offer higher intervention rates for the outermost regions. Also, the specific provisions relating to small-scale coastal fishing are particularly relevant for the outermost regions.</p> <p>Having regard to the special situations of the outermost regions and the introduction of specific mechanisms for these regions, the Commission decided to launch a study on the structural aspects of the CFP in the outermost regions. The results are expected in the first quarter of 2006. This study should give the Commission an idea of the mechanisms that are best suited to the outermost regions, to be put into action over the period 2007-2013, within the framework of financial assistance for this sector.</p>
<p>5.2.10. The Commission should strengthen</p>	<p>The Commission will endeavour to strengthen</p>

<p>the European Social Fund's role in the outermost regions, with a view to bringing down the unemployment rate, which is particularly high in most of these regions, and ensuring that the people of these regions have the same opportunities as other EU citizens.</p>	<p>investment in human resources in order to enhance employment potential and productivity and stimulate growth via the ESF. The ESF will also need to provide support for good governance and for strengthening institutions and administrative capacities.</p>
<p>5.2.11. The Commission should support the creation or, where appropriate, consolidation of economic and social councils, which will convey the views of economic and social stakeholders and civil society organisations in general more effectively.</p>	<p>The Commission has long supported the development of social dialogue at national, regional and local levels. Thus, in the present programming period the ESF finances measures to improve the social dialogue. The draft ESF Regulation 2007-2013 further strengthens the principles of partnership and measures to develop the capabilities of the social partners and the social dialogue.</p>
<p>5.2.12. The Commission should revise its proposals on state aid, taking into account the provisions of the draft Constitutional Treaty, and continue and step up the special treatment of the outermost regions as regards state aid in the agricultural and fisheries sectors and in the freight sector.</p>	<p>The Commission is working on revising the guidelines on state aid for regions. The draft revised guidelines, which were submitted to the Member States for consultation and are now in the course of being adopted, contain provisions favourable to the outermost regions.</p>
<p>5.2.13. The Commission should introduce appropriate measures to ensure that proper provision is made for the outermost regions in all common transport policy instruments which affect their development, and that the specific characteristics of these regions are taken into account in Community legislation on public service obligations so that quality and prices can be assured which are geared to the needs of their inhabitants.</p>	<p>Most of the legislative instruments covering transport policy are geared to the situation of the outermost regions, including in the field of state aid. From the financial point of view, application of the specific allowance financed by the ERDF will help to reduce the (internal and external) accessibility problems faced by these regions.</p> <p>Projects in the outermost regions are already eligible for support under the trans-European transport networks (TEN-T). These infrastructure projects are also eligible for support under Objective 1 and the Cohesion Fund.</p>
<p>5.2.14. The Commission should build on and improve the competition system in the sea and air transport sectors in the outermost regions, particularly in regions suffering from "twofold insularity".</p>	<p>On 6 September 2005 the Commission adopted a Communication concerning Community guidelines on the financing of airports and start-up aid to airlines departing from regional airports. These guidelines take account of the special situation of the outermost regions, allowing start-up aid to be authorised for transport services between the outermost regions and neighbouring third countries, in line with the guidelines in the "wider neighbourhood" action plan.</p>
<p>5.2.15. The Commission should give practical</p>	<p>The Commission proposal on the new RTD</p>

effect to the specific references to the outermost regions made in the Commission proposal on the Seventh RTD Framework Programme, in order to facilitate their participation in Community R&D initiatives in the fields of climatology, volcanology, oceanography, biodiversity and natural risks, among others.

Framework Programme incorporates a special regional dimension: under the specific programme entitled “Capacities”, research bodies and researchers from the outermost regions will have more opportunities to participate in the 7th RTD Framework Programme. Several activity strands, such as “Unlocking the research potential in the EU’s convergence and outermost regions”, “Regions of knowledge” and “measures for the benefit of SMEs” present numerous opportunities for (public and private) research bodies in the outermost regions.

It should be pointed out that all the actions within the 7th RTD Framework Programme for the period 2007-2013 will be implemented (as is the case today) via calls for proposals (this also includes the “Unlocking the research potential” activity, which is the only activity in the 7th Programme with a specific geographical context).

These provisions will enable the outermost regions to undertake projects, provided these are consistent with the guidelines of the RTD Programme, based on the overarching principle of scientific excellence. In addition, the research bodies of the outermost regions will be free to participate on equitable terms in scientific cooperation activities (the specific programme entitled “Cooperation”), as well as in basic research (“Ideas”) and in researcher mobility and training programmes (“Marie Curie grants”, “Human potential”).

We should also mention the major contribution made by the Cohesion Policy to the development of European growth and knowledge. The strategic guidelines adopted by the Commission and the determining choices formulated by the Commission for the next programming period 2007/2013 place research and innovation among the priorities for use of the Cohesion Policy resources, with a view to attaining the target of making Europe more competitive. Hence, it is essential that the outermost regions strengthen their research and innovation capacities by making optimum use of the Structural Fund resources in order to expand and adapt their research infrastructures, and contribute more effectively to Community research by gradually

	<p>ascending the ladder of excellence.</p> <p>Likewise, in view of the advantages conferred on them by their geographical situation, the richness of their natural heritage and their natural sources of energy, it would be opportune for the outermost regions to set up – either on their own initiative or on the basis of existing partnerships between regions of continental Europe – networks of research teams in their fields of excellence to address favoured themes identified in these regions.</p>
<p>5.2.16. The Commission should take into account the specific situation of the outermost regions when liberalising the internal gas and electricity markets, in order to avoid penalising consumers in these regions in terms of regularity of supply, quality of services and prices; that means taking a more flexible approach to establishing public service obligations and state aid.</p>	<p>With regard to services of general economic interest, a working group has been created within the Commission and a study is under way on the implementation of the new information and communication technologies in the outermost regions (the aspects being investigated are infrastructures and tariffs). A study is also being launched on the implementation of services of general economic interest in the outermost regions.</p> <p>Recommendations and actions will be specified based on the ongoing results of these two studies.</p> <p>In addition, application of the specific allowance financed by the ERDF will help to improve the integration of the economies of the outermost regions into the Single Market.</p>
<p>5.2.17. The Commission should urgently adopt measures ensuring sustainable development in the outermost regions, particularly in the fields of protection of biodiversity, the Natura 2000 network and waste management.</p>	<p>All the outermost regions covered by the “Habitats” Directive (Canaries, Madeira and the Azores) have designated their Natura 2000 sites. As regards the French outermost territories, which are not covered by the Directive, a biodiversity action plan is being drawn up by the environmental authorities. Given the major importance of the biodiversity of these regions the Commission plans to finance projects under the LIFE+ programme, provided that there is a biodiversity action plan, without the “Habitats” Directive being an obstacle. Such projects would be geared towards developing ecotourism, which is the fastest-growing sector in the European Union.</p> <p>On the question of waste management, the outermost regions may continue to present</p>

	projects for Community cofinancing.
5.2.18. The Commission should be imaginative when establishing specific mechanisms and procedures for the outermost regions, to ensure that the benefits of the single market do not pass them by, e.g. encouraging the use of renewable energies and access to broadband networks.	<p>The Communication noted the continued existence of natural barriers to trade in the outermost regions, which put businesses located there in a weak position compared with businesses located in regions which enjoy full access to the Community market. Businesses in the outermost regions remain restricted to a limited local market which is fragmented and remote and which does not enable them to benefit on equal terms from economies of scale and external economies.</p> <p>In addition to the special measures in the Community policies, the specific allowance financed by the ERDF will help to improve the integration of the economies of the outermost regions into the Single Market.</p>
5.2.19. The Commission should ensure that the outermost regions continue to enjoy special tax arrangements, as these are essential for their economic development.	The Communication did not call into question the special tax arrangements applicable to the outermost regions, and decisions were adopted by the Council in 2002 and 2004, on the basis of Commission proposals, to renew the Community framework for a relatively long period of 10 years. In accordance with the Council decisions, these tax arrangements will have to be re-assessed at the half-way point.
5.2.20. The Commission should envisage the active participation of the outermost regions in the negotiation of the EU-ACP economic partnership agreements (EPAs), facilitating the creation of a permanent channel for ongoing dialogue between regional – and/or national – authorities and regional bodies with which the EU is negotiating the EPAs, in order to make the agreements more effective, compatible and consistent.	The Commission wishes to keep the authorities of the relevant regions and Member States informed about the progress of the negotiations (indeed, it organised a seminar for this precise purpose in June 2005). Although the Treaty does not allow the Member States and the regions to participate directly in the negotiation process, the Commission has introduced regular exchanges of information with the national and regional authorities on the negotiations of the economic partnership agreement. It is in favour of any “permanent channel for ongoing dialogue” between regions, Member States and ACP countries and regions.

<p>23. Proposal for a Council Directive on Community measures for the control of Avian Influenza Proposal for a Council Decision amending Council Decision 90/424/EEC on expenditure in the veterinary field COM (2005) 171 final - EESC 1061/2005 -September 2005 DG SANCO - Mr Kyprianou</p>	
Main points of the EESC Opinion	Commission Position
<p>1.1 The EESC recognises the potential risks in the area of animal health particularly as a consequence of the EU's new borders following enlargement; the EESC therefore recommends that sufficient resources are made available by the Commission for the inspection and auditing of the implementation and transposition of relevant Directives.</p>	<p>The inspection and auditing of the implementation and transposition of relevant Directives is the responsibility of the FVO which has sufficient resources available.</p>
<p>1.2 The EESC understands the international dimensions of Avian Influenza and requests the Commission to seek equivalent control worldwide regarding Avian Influenza Controls.</p>	<p>The Commission closely cooperates with the OIE, FAO and WHO in this area.</p>
<p>1.3 While the EESC welcomes the financial package and the EU contribution when using stamping out as a means of controlling LPAI, it proposes that the compensation figure should increase from 30% to 50%.</p>	<p>In case of LPAI outbreaks the Member States have the option to control and eradicate the disease without making recourse to stamping-out. This is because the risk of LPAI transmission to other birds or to humans due to consumption of poultry meat is negligible. However, under certain circumstances, MSs may also decide to apply a stamping out policy, for example to prevent spread of disease when the poultry are moved from infected farms to the slaughterhouse, due to direct or indirect contact between poultry farms. The Commission is proposing a 30% co-financing to the MSs in case of stamping out for LPAI outbreaks (whilst this rate is 50% in case of HPAI outbreaks) not to encourage MSs to apply the stamping out, unless it is strictly necessary, and so prevent massive killing of animals.</p>

c) **Opinions on which the Commission is not at this stage able to offer comments**

11. Social policy within a pan-European system for regulating inland-waterway transport
Own-initiative opinion - EESC 1071/2005 – September 2005
DG EMPL – Mr ŠPIDLA

No follow-up will be given to this opinion. DG TREN - in cooperation with DG EMPL - is currently preparing a communication on inland waterway transport which will also cover the social aspects, but this communication has been planned for a long time and is not therefore a follow-up to the EESC own-initiative opinion.

13. Proposal for a Directive of the European Parliament and of the Council on market access to port services
COM(2004) 654 final – EESC 848/2005 - July 2005
DG TREN - Mr Barrot

This point will be dealt further on.

16. The Perspectives of European Coal and Steel Research
Own-initiative opinion - EESC 845/2005 – July 2005
DG RDT – Mr POTOČNIK

No response from the Commission.